

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CLERK'S OFFICE

FEB 09 2004

LUTHER J. ... Clerk
By: F. ... Deputy Clerk

LARRY WHISTLER
a/k/a LARRY ZBYSZKO
a/k/a/ THE LIVING LEGEND,
an individual

Plaintiff,

vs.

WORLD WRESTLING
FEDERATION ENTERTAINMENT,
INC., a Delaware corporation,

Defendant.

Civil Action No.: 1 02- CV-1008 -*CL*

NOTICE OF FILING CERTIFIED COPY OF
CHAPTER 7 BANKRUPTCY FILE

COMES NOW Defendant World Wrestling Entertainment, Inc.,
("WWE") and hereby gives notice of the filing in this action of the attached
certified copy of the entire file in that certain Chapter 7 bankruptcy case
filed by Lawrence Whistler as Debtor in the United States Bankruptcy
Court, Northern District of Georgia, Atlanta Division, Bankruptcy Case No.
03-90109, which is hereby submitted in support of WWE's Motion for
Summary Judgment on the basis of judicial estoppel.

40

B 131
9/94

United States Bankruptcy Court

Northern District Of Georgia

In re : Lawrence Whistler

Case No. 03-90109-SWC

Debtor : Lawrence Whistler

EXEMPLIFICATION CERTIFICATE

W. Yvonne Evans

I, _____, clerk of the bankruptcy court for this district and keeper of the records and seal of the court, certify that the documents attached are true copies of Case Number 03-90109-SWC consisting of 4-pages of the docket text, 92-pages of the entire case, and 3-pages of the list of creditors. For a total count of 99 pages.

now remaining among the records of the court. In testimony of this statement, I sign my name, and affix the seal of this court at Atlanta, in the State of Georgia, this 30th Day Of January, 2004.

[Seal of Court]

W. Yvonne Evans
Clerk of the Bankruptcy Court

I, Joyce Bihary, Chief, bankruptcy judge for this district certify that W. Yvonne Evans is and was at the date of the above certificate clerk of the bankruptcy court for this district, duly appointed and sworn, and keeper of the records and seal of the court, and that the above certificate of the clerk and the clerk's attestation are in due form of law.

January 30, 2004

Date

Joyce Bihary
Bankruptcy Judge

W. Yvonne Evans


I, _____, clerk of the bankruptcy court for this district and keeper of the seal of the court, certify that the Honorable Joyce Bihary is and was on the date of the above certificate a judge of this court, duly appointed and sworn; and that I am well acquainted with this handwriting and official signature and know and certify the signature written above to be that of the judge.

In testimony of this statement, I sign my name, and affix the seal of the court at Atlanta, in the State of Georgia, this 30th Day Of January, 2004.

[Seal of Court]

W. Yvonne Evans
Clerk of the Bankruptcy Court

Respectfully submitted,



Attorneys for Defendant
World Wrestling Entertainment, Inc.

John L. Taylor, Jr.
Georgia Bar No. 700400
Celeste McCollough
Georgia Bar No. 487013
CHOREY, TAYLOR & FEIL
The Lenox Building, Suite 1700
3399 Peachtree Road, N.E.
Atlanta, Georgia 30326
(404) 841-3200
(404) 841-3221 (fax)

and

Jerry S. McDevitt
Curtis B. Krasik
Julie R. Fenstermaker
KIRKPATRICK & LOCKHART LLP
Henry W. Oliver Building
535 Smithfield Street
Pittsburgh, PA 15222
(412) 355-6500
(412) 355-6501 (fax)

CERTIFICATION

Pursuant to Local Rule 7.1D, counsel for Defendant hereby
certify that this document has been prepared with Times New Roman font
(14 point).

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

LARRY WHISTLER
a/k/a LARRY ZBYSZKO
a/k/a THE LIVING LEGEND,
an individual,

Plaintiff,

vs.

WORLD WRESTLING
ENTERTAINMENT, INC., a Delaware
corporation,

Defendants.

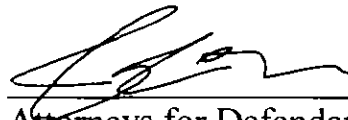
Civil Action No. 1 02-CV-1008

CERTIFICATE OF SERVICE

I hereby certify that on this 1th day of February, 2004, I served
opposing counsel with the foregoing *Notice of Filing Certified Copy of*
Chapter 7 Bankruptcy File by First Class Mail to the following address:

Joel D. Myers, Esquire
Myers & Kaplan Intellectual Property Law LLC
1899 Powers Ferry Road
Suite 310
Atlanta, GA 30339

Respectfully submitted this 1st day of February, 2004.



Attorneys for Defendant
World Wrestling Entertainment, Inc.

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Georgia Bar No. 700400
Celeste McCollough
Georgia Bar No. 487013
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CLOSED, DISCHARG

**U.S. Bankruptcy Court
Northern District of Georgia (Atlanta)
Bankruptcy Petition #: 03-90109-swc**

Assigned to: Judge Stacey W. Cotton
Chapter 7
Voluntary
No asset

Date Filed: 01/03/2003
Date Terminated: 04/10/2003
Date Discharged: 04/12/2003

Lawrence Whistler
425 Red Jacket Way
Alpharetta, GA 30005
SSN: xxx-xx-3689

Debtor

aka

Larry Zbyszko

Kathleen Whistler
425 Red Jacket Way
Alpharetta, GA 30005
SSN: xxx-xx-5986

Joint Debtor

Edwin K. Palmer
118 East Trinity Place
Suite 9
Decatur, GA 30030
(404) 479-4449

Trustee

Office of the US Trustee
Suite 362
75 Spring Street, SW
Atlanta, GA 30303
404-331-4437

U.S. Trustee

represented by **David L. Miller**
Law Offices of David L. Miller
Suite 2615 - Tower Place 100
3340 Peachtree Rd. N.E.
Atlanta, GA 30326
(404) 231-1933

represented by **David L. Miller**
(See above for address)

Filing Date	#	Docket Text
01/03/2003	<u>1</u>	Voluntary Petition (Chapter 7) Fee Collected \$ 200, Receipt Number 01020018.. Statement of Intent due 2/3/2003. Schedules A-J due 1/20/2003. Statement of Financial Affairs due 1/20/2003. Atty Disclosure State. due 1/20/2003. Summary of schedule due 1/20/2003. Filed by David L. Miller of Law Offices of David L. Miller on behalf of Lawrence Whistler, Kathleen Whistler. (Sticha, Christine) (Entered:

		01/06/2003)
01/06/2003		Office of the US Trustee added to case (Sticha, Christine)
01/06/2003		Meeting of Creditors (Chapter 7). Ch. 7 341 Meeting to be held on 1/31/2003 at 09:30 AM at Hearing Room 365, Atlanta. Objections for Discharge due by 4/1/2003 (Sticha, Christine)
01/08/2003	<u>2</u>	Notice of Filing of Bankruptcy Case, Meeting of Creditors & Deadlines w/Certificate of Service by BNC Service Date 01/08/03. (Admin.) (Entered: 01/09/2003)
01/15/2003	<u>3</u>	Motion for Relief from Stay, Fee Collected \$ 75 filed by Lara Anne Armstrong on behalf of Bank Of America, NA.. (Armstrong, Lara)
01/15/2003		Receipt of Motion for Relief from Stay(03-90109-swc) [motion,185] (75.00) filing fee. Receipt Number 113EB3898161. Fee Amount 75.0 (U.S. Treasury)
01/16/2003	<u>4</u>	Notice of Hearing on <i>Motion for Relief from Stay</i> (related document(s) <u>3</u>) filed by Lara Anne Armstrong on behalf of Bank Of America, NA.. Hearing to be held on 2/13/2003 at 09:30 AM at Courtroom 1404, Atlanta, (Williams, Vickie)
01/16/2003	<u>5</u>	Notice of Appearance (Attorney) filed by John D. Schlotter on behalf of Bank Of America, NA.. (Williams, Vickie) (Entered: 01/17/2003)
01/24/2003	<u>6</u>	Certificate of Service of Notice of Hearing on Motion for Relief From Stay (related document(s) <u>3</u> , <u>4</u>) filed by Lara Anne Armstrong on behalf of Bank Of America, NA.. (Armstrong, Lara) Modified on 1/27/2003 (Wilson, Melanie).
01/28/2003	<u>7</u>	Schedules <i>A-J, Statement of Financial Affairs, Statement of Intention, Attorney Disclosure Statement and Summary of Schedules</i> filed by David L. Miller on behalf of Kathleen Whistler, Lawrence Whistler. (Williams, Vickie) (Entered: 01/30/2003)
01/31/2003		Meeting of Creditors Rescheduled (related document(s)[<u>7</u>]) Ch. 7 341 Meeting to be held on 2/18/2003 at 10:30 AM at Hearing Room 365, Atlanta. (Thomas, Nicole) (Entered: 02/24/2003)
02/12/2003	<u>8</u>	Notice Rescheduling <i>341 Meeting of Creditors and c/s.</i> filed by David L. Miller on behalf of Kathleen Whistler, Lawrence Whistler. Ch. 7 341 Meeting to be held on 2/18/2003 at 10:30 AM at Hearing Room 365, Atlanta. (Williams, Vickie) (Entered: 02/13/2003)
02/14/2003	<u>9</u>	Order GRANTING Motion for Relief from Stay of Bank of America


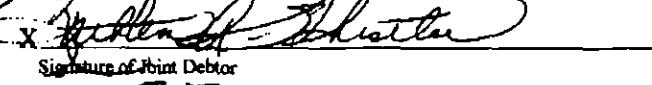
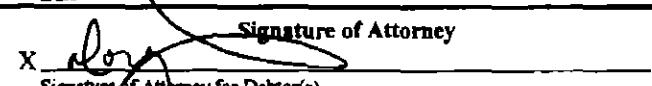
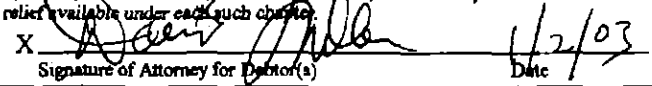
		NA. (Related Doc # <u>3</u>) Service by BNC Entered on 2/14/2003. (Williams, Vickie)
02/16/2003	<u>10</u>	BNC Certificate of Service of Order on Motion for Relief from Stay Service Date 02/16/03. (Related Doc # <u>9</u>) (Admin.) (Entered: 02/17/2003)
02/19/2003	<u>11</u>	Motion for Relief from Stay Receipt Number 1023411, Fee Collected \$ 75 filed by Gregson T. Haan on behalf of General Motors Acceptance Corporation. (Attachments: # <u>1</u> Exhibit) (Haan, Gregson) Modified on 2/20/2003 (Meador, Sheila).
02/19/2003	<u>12</u>	Notice of Abandonment of Property <i>Estate located at 425 Red Jacket Way, Alpharetta, Georgia 30005 (Blank Notice of Proposed Abandonment of Property went to Chamber)</i> filed by Edwin K. Palmer. (Williams, Vickie) (Entered: 02/20/2003)
02/19/2003	<u>14</u>	Notice Rescheduling <i>341 Meeting of Creditors.</i> filed by David L. Miller on behalf of Kathleen Whistler, Lawrence Whistler. Ch. 7 341 Meeting to be held on 3/11/2003 at 10:30 AM at Hearing Room 365, Atlanta. (Williams, Vickie) (Entered: 02/21/2003)
02/20/2003	<u>13</u>	Notice of Hearing on <i>Motion for Relief from Stay</i> (related document(s) <u>11</u>) filed by Gregson T. Haan on behalf of General Motors Acceptance Corporation. Hearing to be held on 3/27/2003 at 09:30 AM at Courtroom 1404, Atlanta, (Williams, Vickie) (Entered: 02/21/2003)
02/24/2003	<u>15</u>	Certificate of Service of Notice of Hearing on Motion for Relief From Stay (related document(s) <u>11,13</u>) filed by Gregson T. Haan on behalf of General Motors Acceptance Corporation. (Haan, Gregson) Linkage/Text Modified on 3/12/2003 (Wilson, Melanie).
03/11/2003	<u>16</u>	Withdrawal of <i>Trustee's Motion to Abandon Property</i> (related document(s) <u>12</u>) filed by Edwin K. Palmer. (Wilson, Melanie) (Entered: 03/12/2003)
03/11/2003	<u>17</u>	Notice of Abandonment of Property <i>The estate's claims versus Lawrence and Kathleen Whistler</i> filed by Edwin K. Palmer. Objections due by 3/31/2003. (Wilson, Melanie) (Entered: 03/12/2003)
03/11/2003		Meeting of Creditors Held. (Yarn, Betty) (Entered: 04/04/2003)
03/14/2003	<u>18</u>	Certificate of Mailing by BNC of Notice of Abandonment Service Date 03/14/03. (Related Doc # <u>17</u>) (Admin.) (Entered: 03/15/2003)

03/18/2003	<u>19</u>	Trustee's No Distribution Report filed by Edwin K. Palmer. (Williams, Vickie) (Entered: 03/19/2003)
04/04/2003	<u>20</u>	Order GRANTING Motion for Relief from Stay of General Motors Acceptance Corporation. (Related Doc # <u>11</u>) Service by BNC Entered on 4/4/2003. (Williams, Vickie)
04/06/2003	<u>21</u>	BNC Certificate of Service of Order on Motion for Relief from Stay Service Date 04/06/03. (Related Doc # <u>20</u>) (Admin.) (Entered: 04/07/2003)
04/10/2003		Case Closed/Discharge Granted. Order to Follow. (Williams, Vickie)
04/12/2003	<u>22</u>	Order Discharging Debtor and Closing Estate with Certificate of Mailing by BNC Service Date 04/12/03. (Admin.) (Entered: 04/14/2003)

(Official Form 1) (9/97)

FORM B1 United States Bankruptcy Court Northern District of Georgia Atlanta Division		FILED Voluntary Petition U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF GEORGIA																																								
Name of Debtor (if individual, enter Last, First, Middle): Whistler, Lawrence		Name of Joint Debtor (Spouse) (Last, First, Middle): Whistler, Kathleen <i>2003 JAN 3 PM 2:28</i>																																								
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names): Larry Zbyszko		All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names): <i>W. BUNN VANS</i>																																								
Soc. Sec./Tax I.D. No. (if more than one, state all): 163-44-3689		Soc. Sec./Tax I.D. No. (if more than one, state all): 477-56-5986 <i>DEPUTY CLERK</i>																																								
Street Address of Debtor (No. & Street, City, State & Zip Code): 425 Red Jacket Way Alpharetta, GA 30005		Street Address of Joint Debtor (No. & Street, City, State & Zip Code): 425 Red Jacket Way Alpharetta, GA 30005																																								
County of Residence or of the Principal Place of Business: Fulton		County of Residence or of the Principal Place of Business: Fulton																																								
Mailing Address of Debtor (if different from street address):		Mailing Address of Joint Debtor (if different from street address):																																								
Location of Principal Assets of Business Debtor (if different from street address above): <div style="font-size: 2em; font-weight: bold; margin-top: 10px;">03-90109</div>																																										
Information Regarding the Debtor (Check the Applicable Boxes)																																										
Venue (Check any applicable box) <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.																																										
Type of Debtor (Check all boxes that apply) <input checked="" type="checkbox"/> Individual(s) <input type="checkbox"/> Railroad <input type="checkbox"/> Corporation <input type="checkbox"/> Stockbroker <input type="checkbox"/> Partnership <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Other _____		Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Sec. 304 - Case ancillary to foreign proceeding																																								
Nature of Debts (Check one box) <input checked="" type="checkbox"/> Consumer/Non-Business <input type="checkbox"/> Business		Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee Attached <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3.																																								
Chapter 11 Small Business (Check all boxes that apply) <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101 <input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)																																										
Statistical/Administrative Information (Estimates only) <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		<div style="border: 1px solid black; padding: 5px;"> THIS SPACE IS FOR COURT USE ONLY <div style="display: flex; justify-content: space-between;"> <div> COTTON BIHARY BRIZENDINE BONAPFEL </div> <div> DRAKE MASSEY MULLINS MURPHY </div> </div> <div style="margin-top: 10px;"> INTERIM TRUSTEE <table border="1" style="width: 100%; text-align: center; font-size: 0.8em;"> <tr><td>1</td><td>8</td><td>11</td><td>18</td><td>21</td><td>28</td></tr> <tr><td>2</td><td>7</td><td>12</td><td>17</td><td>22</td><td>27</td></tr> <tr><td>3</td><td>6</td><td>13</td><td>16</td><td>23</td><td>26</td></tr> <tr><td>4</td><td>9</td><td>14</td><td>19</td><td>24</td><td>29</td></tr> <tr><td>5</td><td>10</td><td>15</td><td>20</td><td>25</td><td>30</td></tr> <tr><td>6</td><td>97</td><td>98</td><td>99</td><td></td><td></td></tr> </table> </div> <div style="margin-top: 10px;"> FEE <table style="width: 100%;"> <tr> <td style="width: 50%;">PAID BALANCE</td> <td style="width: 50%; text-align: right;">170</td> </tr> <tr> <td>ADMIN</td> <td style="text-align: right;">138</td> </tr> </table> </div> </div>	1	8	11	18	21	28	2	7	12	17	22	27	3	6	13	16	23	26	4	9	14	19	24	29	5	10	15	20	25	30	6	97	98	99			PAID BALANCE	170	ADMIN	138
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PAID BALANCE	170																																									
ADMIN	138																																									
Estimated Number of Creditors <table style="width: 100%; text-align: center;"> <tr> <td>1-15</td> <td>16-49</td> <td>50-99</td> <td>100-199</td> <td>200-999</td> <td>1000-over</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>		1-15	16-49	50-99	100-199	200-999	1000-over	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																													
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<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																					
Estimated Assets <table style="width: 100%; text-align: center;"> <tr> <td>\$0 to \$50,000</td> <td>\$50,001 to \$100,000</td> <td>\$100,001 to \$500,000</td> <td>\$500,001 to \$1 million</td> <td>\$1,000,001 to \$10 million</td> <td>\$10,000,001 to \$50 million</td> <td>\$50,000,001 to \$100 million</td> <td>More than \$100 million</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>		\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																									
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Estimated Debts <table style="width: 100%; text-align: center;"> <tr> <td>\$0 to \$50,000</td> <td>\$50,001 to \$100,000</td> <td>\$100,001 to \$500,000</td> <td>\$500,001 to \$1 million</td> <td>\$1,000,001 to \$10 million</td> <td>\$10,000,001 to \$50 million</td> <td>\$50,000,001 to \$100 million</td> <td>More than \$100 million</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>		\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																									
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million																																			
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																			

(Official Form 1) (9/97)

Voluntary Petition <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): Lawrence Whistler Kathleen Whistler		FORM B1, Page 2
Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)				
Location Where Filed: NONE		Case Number:		Date Filed:
Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)				
Name of Debtor: NONE		Case Number:		Date Filed:
District:		Relationship:		Judge:
Signatures				
Signature(s) of Debtor(s) (Individual/Joint) I declare under penalty of perjury that the information provided in this petition is true and correct. (If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7) I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.			Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	
<input checked="" type="checkbox"/>  Signature of Debtor			<input checked="" type="checkbox"/> Not Applicable Signature of Authorized Individual	
<input checked="" type="checkbox"/>  Signature of Joint Debtor			Printed Name of Authorized Individual	
Telephone Number (If not represented by attorney)			Title of Authorized Individual	
Date			Date	
<input checked="" type="checkbox"/>  Signature of Attorney for Debtor(s) David L. Miller, 506550 Printed Name of Attorney for Debtor(s) / Bar No. Law Offices of David L. Miller Firm Name 3340 Peachtree Road, NE Suite 2615 - Tower Place 100 Address Atlanta, GA 30326 404-231-1933; (fax) 404-233-5335 Telephone Number Date 1/2/2003			Signature of Non-Attorney Petition Preparer I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document. Not Applicable Printed Name of Bankruptcy Petition Preparer Social Security Number Address Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:	
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11) <input type="checkbox"/> Exhibit A is attached and made a part of this petition.			If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person. <input checked="" type="checkbox"/> Not Applicable Signature of Bankruptcy Petition Preparer	
Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that (he or she) may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. <input checked="" type="checkbox"/>  Signature of Attorney for Debtor(s)			Date A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.	

U. S. BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

01020018 - JV
January 3, 2003

Code	Case No	Qty	Amount By
7	03-90110		\$200.00 CK
	Judge - Joyce Bihary		
	Debtor - M. F. VALDEZ		
①	03-90109		\$200.00 CK
	Judge - Stacey W. Cotton		
	Debtor - L. WHITLER		
7	03-90108		\$200.00 CK
	Judge - Joyce Bihary		
	Debtor - D. J. FISHER		

TOTAL: \$600.00

FROM: DAVID L MILLER
3340 PEACHTREE RD NE STE 2615
ATLANTA GA 30026
404) 231-1933

CASE NUMBER: 03-92109

Trustee: EDWIN PALMER (7)

341 Meeting: 1-31-03 @ 9:30 RM 365

03-90109

SWC

JUDGE

PETITION CHECKLIST

CHAPTER 7

CHAPTER 11

CHAPTER 12

CHAPTER 13

BUSINESS

or

NON BUSINESS

- () COMPLETE PETITION
 () INCOMPLETE PETITION

CHECK-MARK THE FOLLOWING DOCUMENTS THAT ARE MISSING:

- () CHAPTER 13 PLAN
 () (Notice of Plan Summary to be served by Debtor/Attorney)
 () STATEMENT OF FINANCIAL AFFAIRS
 () SCHEDULES:

- | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| A | B | C | D | E | F | G | H | I | J |
| () | () | () | () | () | () | () | () | () | () |
| () | () | () | () | () | () | () | () | () | () |
| () | () | () | () | () | () | () | () | () | () |
| () | () | () | () | () | () | () | () | () | () |
| () | () | () | () | () | () | () | () | () | () |
| () | () | () | () | () | () | () | () | () | () |
- ATTORNEY DISCLOSURE STATEMENT
 STATEMENT OF INTENT (See Schedule D)
 SUMMARY OF SCHEDULES
 LIST OF EQUITY SECURITY HOLDERS
 20 LARGEST UNSECURED CREDITORS
 PRO SE AFFIDAVIT (To be returned within 5 days of filing date)

FEE

PAID

170

BALANCE

ADMIN

20

JUDGECHAPTER 13 TRUSTEE

COTTON
 BIHARY
 BRIZENDINE
 BONAPFEL

DRAKE
 MASSEY
 MULLINS
 MURPHY

13B

13T

INTERIM TRUSTEE

1	8	11	16	21	26
2	9	12	17	22	27
3	10	13	18	23	28
4	11	14	19	24	29
5	12	15	20	25	30
97	98	99			

- () ATTY/DEBTOR INFORMED THAT
 REMAINING DOCUMENTS ARE DUE TO
 BE FILED WITHIN 15 DAYS FROM FILING
 DATE

For Court Use Only

Trustee:

341 Meeting:

Confirmation:

FORM B9A (Chapter 7 Individual or Joint Debtor No Asset Case)(9/97)

Case Number **03-90109 swc****UNITED STATES BANKRUPTCY COURT**

Northern District of Georgia

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 01/03/03.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations.**Debtor(s) (name(s) and address):**

Lawrence Whistler
Larry Zbyszko
425 Red Jacket Way
Alpharetta, GA 30005-

Kathleen Whistler

425 Red Jacket Way
Alpharetta, GA 30005-

Case Number: 03-90109 swc**Social Security/Taxpayer ID Nos.:**

163-44-3689
477-56-5986

This entire case number is required on all claims/correspondence received by the Court

Attorney for Debtor(s) (name and address):

David L. Miller
3340 Peachtree Rd. N.E.
Suite 2615 - Tower Place 100
Atlanta, GA 30326
Telephone number: 404 231-1933

Bankruptcy Trustee (name and address):

Edwin K. Palmer
118 East Trinity Place
Suite 9
Decatur, GA 30030
Telephone number: (404) 479-4449

Meeting of Creditors:

Date: 01/31/03 Time: 09:30 AM

Location: Room 365, Russell Federal Building, 75 Spring Street SW, Atlanta, GA 30303

Individuals who file bankruptcy must bring two forms of original documentation to their meeting of creditors: photo identification (driver's license, government ID, state photo ID, student ID, U.S. passport, military ID, or resident alien card) and confirmation of their social security number.

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts:
04/01/03

Deadline to Object to Exemptions:
Thirty (30) days after the *conclusion* of the meeting of creditors.

Creditors May Not Take Certain Actions:

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

Please Do Not File A Proof of Claim Unless You Receive a Notice To Do So.

Address of the Bankruptcy Clerk's Office:

Atlanta Division
1340 Russell Federal Building
75 Spring Street, SW
Atlanta, GA 30303
Telephone number: 404-215-1000

For the Court:

Clerk of the Bankruptcy Court:
W. Yvonne Evans

Hours Open:

8:00 AM to 4:45 PM

Date:

01/06/03

EXPLANATIONS

FORM B9A(9/97)

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Creditors May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. At the meeting, the creditors may elect a trustee other than the one named above, elect a committee of creditors, examine the debtor, and transact such other business as may properly come before the meeting. The meeting may be continued and concluded at a later date without further notice.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), (6), or (15), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that Deadline.
Liquidation of Debtor's Property	The trustee will collect the debtor's property and turn any that is not exempt into money. At this time, however it appears from the schedules of the debtor that there are no assets from which any distribution can be paid to creditors. If at a later date it appears that there are assets from which a distribution may be paid, the creditors will be notified and given an opportunity to file claims.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of property claimed as exempt, at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
Pursuant to Local Rule 6007-1, the Case Trustee may give oral notice at the meeting of creditors of intent to abandon property of the debtor followed written notice of abandonment filed with the Court within 15 days of that meeting. Any party in interest who objects to the proposed abandonment may file a written objection within 15 days after the filing of the trustee's notice, stating the grounds therefor, and advocating the objection at a hearing held by the Court upon notice to trustee, debtor and other parties in interest.	
---Refer to Other Side For Important Deadlines and Notices---	
An automated response for further information on this case is available 24 hours daily by calling the Court's Voice Case Information System (VCIS) toll free number at 800-510-8284. Please have the case number, social security number or debtor name available when calling.	
For copies of petitions, schedules, pleadings or other case-related documents of the Atlanta and/or Newnan divisions, call Georgia Bankruptcy Services at (404) 681-9140.	

BAE SYSTEMS

Enterprise Systems Incorporated
11487 Sunset Hills Road
Reston, Virginia 20190-5234

CERTIFICATE OF SERVICE

District/off: 113E-9
Case: 03-90109

User: stuchac
Form ID: B9A

Page 1 of 1
Total Served: 35

Date Rcvd: Jan 06, 2003

The following entities were served by first class mail on Jan 08, 2003.

db Kathleen Whistler, 425 Red Jacket Way, Alpharetta, GA 30005
db Lawrence Whistler, 425 Red Jacket Way, Alpharetta, GA 30005
acy David L. Miller, 3340 Peachtree Rd. N.E., Suite 2615 - Tower Place 100, Atlanta, GA 30326
tr Edwin K. Palmer, 118 East Trinity Place, Suite 9, Decatur, GA 30030
ust Office of the US Trustee, Suite 362, 75 Spring Street, SW, Atlanta, GA 30303
5642057 Ann Taylor, PO Box 1304, New Haven, CT 06505-1304
5642058 Attorney General of Georgia, 132 State Judicial Building, Atlanta, GA 30334
5642059 Bank of America, c/o McCalla, Raymer, LLC, 1544 Old Alabama Road, Roswell, GA 30076
5642060 Beneficial, 704-B North Main Street, Alpharetta, GA 30004
5642061 Capital One Bank, PO Box 530092, Atlanta, GA 30353-0092
5642062 +Capital One Services, Inc., 1957 Westmoreland Road, Richmond, VA 23276-0001
5642063 Citicorp Credit Services, 9920 NW 110th Street, Kansas City, MO 64153
5642064 Citifinancial, 2650 Dallas Highway, Suite 160, Marietta, GA 30064-7506
5642065 +Direct Merchants Bank, P.O. Box 2128, Tulsa, OK 74101-2128
5642066 Discover, PO Box 3008, New Albany, OH 43054-3008
5642067 First North American National Bank, PO Box 42364, Richmond, VA 23242
5642068 GMAC, PO Box 105677, Atlanta, GA 30348
5642068 Georgia Department of Revenue, Bankruptcy Insolvency Unit, P.O. Box 3889, Atlanta, GA 30334
5642069 Georgia Dept. of Revenue, Bankruptcy Section, Box 38143, Atlanta, GA 30334
5642070 Haverly's, Haverly's Credit Services, PO Box 740506, Atlanta, GA 30374-0506
5642073 Jacobson, PO Box 768, Jackson, Michigan 49204-0768
5642074 Kohl's, PO Box 2983, Milwaukee, WI 53201-2983
5642075 Lord & Taylor, PO Box 94873, Cleveland, OH 44101-4873
5642076 Macy's, 5300 King's Island Drive, Mason, OH 45040
5642077 Rich's, PO Box 4587, Carol Stream, IL 60197-4587
5642079 State of Georgia, Revenue Commissioner, 410 Trinity - Washington Building, Atlanta, GA 30334
5642080 Steven Shapiro, Chief-Tax Division, Civil Trial Section, Dept. of Justice, POB 14198, Ben Franklin Station, Washington, D.C. 20044
5642081 +Target, c/o Retailers National Bank, PO Box 59317, Minneapolis, MN 55459-0317
5642082 Tim Whistler, 425 Red Jacket Way, Alpharetta, GA 30005
5642084 U.S. Attorney General, Department of Justice, Tax Division, Civil Trial Section Southern Region, PO Box 14198, Ben Franklin Station, Washington, D.C. 20044
5642083 +U.S. Attorney's Office, 1800 Richard B. Russell Building, 75 Spring Street, SW, Atlanta, GA 30303-3309
5642085 +Wal Mart, PO Box 530929, Atlanta, GA 30353-0929

The following entities were served by electronic transmission on Jan 07, 2003 and receipt of the transmission was confirmed on:

5642060 EDI: HFC.COM Jan 06 2003 22:47:00 Beneficial, 704-B North Main Street, Alpharetta, GA 30004
5642061 EDI: CAPITALONE.COM Jan 06 2003 22:47:00 Capital One Bank, PO Box 530092, Atlanta, GA 30353-0092
5642062 +EDI: CAPITALONE.COM Jan 06 2003 22:47:00 Capital One Services, Inc., 1957 Westmoreland Road, Richmond, VA 23276-0001
5642070 EDI: TSYS2.COM Jan 06 2003 22:47:00 Haverly's, Haverly's Credit Services, PO Box 740506, Atlanta, GA 30374-0506
5642072 +EDI: IRS.COM Jan 06 2003 22:47:00 Internal Revenue Service, Attn Bankruptcy Unit 11, Box 995, Stop 335D, Atlanta, GA 30301-0995
5642071 +EDI: IRS.COM Jan 06 2003 22:47:00 Internal Revenue Service, P.O. Box 995, Room 1640, Stop 334-D, Atlanta, GA 30301-0995
5642075 EDI: MAYSTORES.COM Jan 06 2003 22:47:00 Lord & Taylor, PO Box 94873, Cleveland, OH 44101-4873
5642078 EDI: TSYS2.COM Jan 06 2003 22:47:00 Rich's, c/o Federal Allied Credit Systems, Box 8053, Mason, OH 45040-8053

TOTAL: 8

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

ust* Office of the US Trustee, Suite 362, 75 Spring Street, SW, Atlanta, GA 30303
ust* Office of the US Trustee, Suite 362, 75 Spring Street, SW, Atlanta, GA 30303
ust* Office of the US Trustee, Suite 362, 75 Spring Street, SW, Atlanta, GA 30303
ust* Office of the US Trustee, Suite 362, 75 Spring Street, SW, Atlanta, GA 30303
ust* Office of the US Trustee, Suite 362, 75 Spring Street, SW, Atlanta, GA 30303

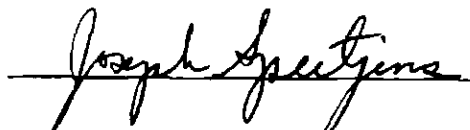
TOTALS: 0, * 5

Addresses marked '*' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

Date: Jan 08, 2003

Signature:



IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)	
	)	BANKRUPTCY CASE
LAWRENCE WHISTLER)	
KATHLEEN WHISTLER	)	NO. 03-90109
)	
Debtors)	
<hr/>		
BANK OF AMERICA, NA,	)	JUDGE: STACEY W. COTTON
)	
Movant)	
)	
vs.)	
	)	CHAPTER 7
LAWRENCE WHISTLER)	
KATHLEEN WHISTLER)	
EDWIN K. PALMER, Trustee)	
)	
Respondents)	
)	

MOTION FOR RELIEF FROM THE AUTOMATIC STAY

COMES NOW Movant and shows this Court the following:

1.

This is a Motion under Section 362(d) of the Bankruptcy Code for relief from the automatic stay for the purpose of foreclosing on certain real property.

2.

Movant is the holder of a Security Instrument which describes certain real property in which Debtors claim an interest. Said

real property is security for a promissory note held by Movant, and is commonly known as 425 Red Jacket Way, Alpharetta, GA.

3.

Debtors are in default in payment of the monthly installments pursuant to the Note and Security Instrument. Through the month of January 2003, seventeen (17) payments have been missed.

4.

The unpaid principal balance is \$220,170.21, and interest is due thereon in accordance with the Note.

5.

Movant is not adequately protected and shows that there is cause for relief from the automatic stay.

6.

Because there may be little or no equity in the property which could benefit the Estate, the Trustee's interest should be deemed abandoned.

7.

Because the Security Instrument so provides, Debtors are responsible for Movant's reasonable attorney's fees.

WHEREFORE, Movant prays for an Order lifting the automatic stay, authorizing Movant to exercise its rights under its Note, Security Instrument and appropriate state statutes, including, but

not limited to, the right to foreclose on its collateral. Movant prays for reasonable attorney's fees and for such other and further relief as is just and equitable.

/s

LARA A. ARMSTRONG, BAR NO. 112002
Attorney for Movant

McCalla, Raymer, Padrick, Cobb, Nichols & Clark
1544 Old Alabama Road
Roswell, Georgia 30076-2102
(770) 643-2148
(800) 845-8633

File No. BAKY-02-00822-2

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)	
)	BANKRUPTCY CASE NO. 03-90109
LAWRENCE WHISTLER)	
KATHLEEN WHISTLER)	CHAPTER 7
)	
Debtors)	

BANK OF AMERICA, NA,	)	JUDGE: STACEY W. COTTON
)	
Movant)	
)	
vs	)	CONTESTED MATTER
)	
LAWRENCE WHISTLER)	
KATHLEEN WHISTLER)	
EDWIN K. PALMER, Trustee)	
Respondents)	

NOTICE OF ASSIGNMENT OF HEARING

NOTICE IS HEREBY GIVEN THAT a Motion for Relief from the automatic stay has been filed in the above-styled case. In the event a hearing cannot be held within thirty (30) days from the filing of the motion for relief from the automatic stay as required by 11 U.S.C. Section 362, Movant waives this requirement and agrees to the next earliest possible date, as evidenced by the signature of its counsel below. The undersigned consents to the automatic stay (and any related co-debtor stay) remaining in effect with respect to Movant until the Court orders otherwise.

A HEARING will be held on the _____ day of _____, 20_____,
at _____ M., in Courtroom 1404, 75 Spring Street, Atlanta, Georgia.

Within three days of the date of this notice, Movant's attorney or a pro se Movant, shall serve the motion and this notice upon the Debtors, Trustee and their attorneys of record, and shall file a certificate of service within three days of service. BLR 9007-2 NDGa.

DATED:

W. YVONNE EVANS, CLERK
UNITED STATES BANKRUPTCY COURT

CONSENTED TO:

_____/s_____
LARA A. ARMSTRONG, BAR NO. 112002
Attorney for Movant
McCalla, Raymer, Padrick, Cobb, Nichols & Clark, LLC
1544 Old Alabama Road
Roswell, Georgia 30076-2102
(770) 643-2148
(800) 845-8633

File No. BAKY-02-00822-2

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)
)
LAWRENCE WHISTLER) BANKRUPTCY CASE NO. 03-90109
KATHLEEN WHISTLER) CHAPTER 7
)
Debtors)

BANK OF AMERICA, NA,) JUDGE: STACEY W. COTTON
)
Movant)
)
vs) CONTESTED MATTER
)
LAWRENCE WHISTLER)
KATHLEEN WHISTLER)
EDWIN K. PALMER, Trustee)
Respondents)

FILED IN CLERK'S OFFICE
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT
ATLANTA, GEORGIA

03 JAN 16 PM 1:19

BY WYVONNE EVANS
CLERK

DEPUTY CLERK

NOTICE OF ASSIGNMENT OF HEARING

NOTICE IS HEREBY GIVEN THAT a Motion for Relief from the automatic stay has been filed in the above-styled case. In the event a hearing cannot be held within thirty (30) days from the filing of the motion for relief from the automatic stay as required by 11 U.S.C. Section 362, Movant waives this requirement and agrees to the next earliest possible date, as evidenced by the signature of its counsel below. The undersigned consents to the automatic stay (and any related co-debtor stay) remaining in effect with respect to Movant until the Court orders otherwise.

A HEARING will be held on the 13 day of February, 2003,
at 9:30 A.M., in Courtroom 1404, 75 Spring Street, Atlanta, Georgia.

Within three days of the date of this notice, Movant's attorney or a pro se Movant, shall serve the motion and this notice upon the Debtors, Trustee and their attorneys of record, and shall file a certificate of service within three days of service. BLR 9007-2 NDGa.

DATED: **JAN 16 2003**

W. YVONNE EVANS, CLERK
UNITED STATES BANKRUPTCY COURT

CONSENTED TO:

/s
LARA A. ARMSTRONG, BAR NO. 112002
Attorney for Movant
McCalla, Raymer, Padrick, Cobb, Nichols & Clark, LLC
1544 Old Alabama Road
Roswell, Georgia 30076-2102
(770) 643-2148
(800) 845-8633

File No. BAKY-02-00822-2

LAW OFFICES
McCALLA, RAYMER, PADRICK, COBB, NICHOLS & CLARK, LLC
BANKRUPTCY DEPARTMENT
1544 OLD ALABAMA ROAD
ROSWELL, GEORGIA 30076-2102
TELEPHONE: (770) 804-0400
TELEFAX: (770) 396-8422
1-800-275-7171

FILED IN CLERK'S OFFICE
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT
OF GEORGIA

03 JAN 16 PM 4:57

W. YVONNE EVANS,
CLERK
DEPUTY CLERK

January 13, 2003

Clerk, United States Bankruptcy Court
75 Spring St., S.W.
Suite 1340
Atlanta, GA 30303

REQUEST FOR SERVICE OF NOTICES

RE: Debtor(s) : Lawrence Whistler and Kathleen Whistler
Case Number : 03-90109
Chapter : 7
Secured Creditor : Bank of America
Loan Number : 26859769

Dear Sir / Madam:

Would you be so kind as to add the following interested party to the mailing / service list in the above referenced case:

Bank of America
c/o McCalla, Raymer, et. al.
Bankruptcy Department
1544 Old Alabama Road
Roswell, Georgia 30076

Please provide us with a copy of each notice of any proceeding, hearing and/or report in this matter including, but no limited to notices required by Bankruptcy Rules 2002(g) and the Local Rules of the Bankruptcy Court.

We appreciate your courtesy in this matter. If you have any questions, please do not hesitate to call me.

Very Truly Yours,


John D. Schlotter

cc: Edwin Palmer
David L. Miller, Esq.

January 14, 2003

United States Bankruptcy Court
Richard Russell Bldg. Room 1340
75 Spring Street S.W.
Atlanta, Georgia 30303

To Whom It May Concern:

~~Please note my new address:~~

#01-bk-69071:

Old address:
Vertonia Jarrett
1509 McPherson Avenue
Atlanta, Georgia 30316

New address:
Vertonia Jarrett
6037 Regent Manor
Lithonia, Georgia 30058
(770) 323-2544 – home
(404) 982-0088 –ext 104 - work

If you need any more information please feel free to call.

BANKRUPTCY CASE NO. 03-90109

CHAPTER 7

JUDGE: STACEY W. COTTON

CERTIFICATE OF SERVICE

I, Lara A. Armstrong, of McCalla, Raymer, Padrick, Cobb, Nichols & Clark, 1544 Old Alabama Road, Roswell, Georgia 30076-2102, certify:

That on the date below, I served a copy of the within NOTICE OF ASSIGNMENT OF HEARING, together with the "MOTION FOR RELIEF FROM THE AUTOMATIC STAY" filed in this bankruptcy matter on the following parties at the addresses shown, by regular United States Mail, postage prepaid, unless another manner of service is expressly indicated:

Lawrence Whistler
Kathleen Whistler
425 Red Jacket Way
Alpharetta, GA 30005

David L. Miller, Esquire
Law Offices of David L. Miller
3340 Peachtree Road, NE
Suite 2615, Tower Place 100
Atlanta, GA 30326

Edwin K. Palmer, Trustee
118 East Trinity Place
Suite 9
Decatur, GA 30030

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on 1/24/03 By: s/
(date) LARA A. ARMSTRONG, BAR NO. 112002
Attorney for Movant

File No. BAKY-02-00822-2

UNITED STATES BANKRUPTCY COURT
Northern District of Georgia
Atlanta Division

*Filed in U.S. Bankruptcy Court
Atlanta, Georgia*

In re: **Lawrence Whistler**
163-44-3689

Kathleen Whistler
477-56-5986

JAN 28 2003
Case No. 03-00109
Clerk *Yvonne Evans, Clerk*

STATEMENT OF FINANCIAL AFFAIRS

1. Income from employment or operation of business

None ☐ State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	FISCAL YEAR PERIOD
4,200.00	Wife Bellini's	2001
7,000.00	Independent Agent Husband	2001
9,000.00	Independent Agent Royalties from 1999 - 2000 Husband	2002
17,000.00	Wife Bellini's	2002

2. Income other than from employment or operation of business

None ☒ State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	FISCAL YEAR PERIOD
--------	--------	--------------------

3. Payments to creditors

None ☒ a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within **90 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
------------------------------	----------------------	----------------	-----------------------

b. List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

☒

NAME AND ADDRESS OF CREDITOR
AND RELATIONSHIP TO DEBTOR

DATES OF
PAYMENTS

AMOUNT PAID

AMOUNT
STILL OWING

4. Suits and administrative proceedings, executions, garnishments and attachments

None

☒

a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT
AND CASE NUMBER

NATURE OF PROCEEDING

COURT OR AGENCY
AND LOCATION

STATUS OR
DISPOSITION

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

☒

NAME AND ADDRESS
OF PERSON FOR WHOSE
BENEFIT PROPERTY WAS SEIZED

DATE OF
SEIZURE

DESCRIPTION
AND VALUE OF
PROPERTY

5. Repossessions, foreclosures and returns

None

☒

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS
OF CREDITOR OR SELLER

DATE OF REPOSSESSION,
FORECLOSURE SALE
TRANSFER OR RETURN

DESCRIPTION
AND VALUE OF
PROPERTY

6. Assignments and receiverships

None

☒

a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIGNMENT OR SETTLEMENT
---------------------------------	-----------------------	---

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None



NAME AND ADDRESS OF CUSTODIAN	NAME AND ADDRESS OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
----------------------------------	---	------------------	---

7. Gifts

None



List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
--	--------------------------------------	-----------------	-------------------------------------

8. Losses

None



List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case or **since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY	DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS	DATE OF LOSS
---	--	-----------------

9. Payments related to debt counseling or bankruptcy

None



List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
David L. Miller 3340 Peachtree Road, NE Suite 2615 Atlanta, GA 30326	01/2003	750.00

10. Other transfers

None



a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
---	------	--

11. Closed financial accounts

None

☒

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION	TYPE AND NUMBER OF ACCOUNT AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
------------------------------------	--	--

12. Safe deposit boxes

None

☒

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY
--	---	-------------------------------	---

13. Setoffs

None

☒

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF
------------------------------	-------------------	---------------------

14. Property held for another person

None

☒

List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF PROPERTY	LOCATION OF PROPERTY
------------------------------	--------------------------------------	----------------------

15. Prior address of debtor

None



If the debtor has moved within the **two years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS	NAME USED	DATES OF OCCUPANCY
---------	-----------	--------------------

16. Spouses and Former Spouses

None



If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the **six-year period** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.

None



SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
-----------------------	---------------------------------------	----------------	-------------------

b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

None



SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
-----------------------	---------------------------------------	----------------	-------------------

c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

None



NAME AND ADDRESS OF GOVERNMENTAL UNIT	DOCKET NUMBER	STATUS OR DISPOSITION
---------------------------------------	---------------	-----------------------

18. Nature, location and name of business

None



a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the business, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the business, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

NAME	TAXPAYER I.D. NUMBER	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
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b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

None



NAME	ADDRESS
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25. Pension Funds.

None



If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within the **six-year period** immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER

[If completed by an individual or individual and spouse]

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date 1/29/03Signature
of DebtorLawrence WhistlerDate 1/29/03Signature
of Joint
DebtorKathleen Whistler

FORM B6A
(8/90)In re: Lawrence WhistlerKathleen WhistlerCase No. 03-00109

Debtor

(If known)

SCHEDULE A - REAL PROPERTY

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
425 Red Jacket Way Alpharetta, Georgia 30005	Fee simple	J	\$ 285,000.00	\$ 331,048.00
Total			\$ 285,000.00	

(Report also on Summary of Schedules.)

FORM B88
(10/89)In re **Lawrence Whistler****Kathleen Whistler**Case No. **03-80109**

Debtor

(If known)

SCHEDULE B - PERSONAL PROPERTY

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand	X			
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Checking Account Bank of America		4.72
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.		Living room, bedroom & dining room furniture. TV, VCR, refrigerator, stove		3,000.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6. Wearing apparel.		Clothing		2,000.00
7. Furs and jewelry.		Wedding band, ruby ring		4,000.00
8. Firearms and sports, photographic, and other hobby equipment.		Magnum, Smith & Wesson		100.00
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10. Annuities. Itemize and name each issuer.	X			
11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.	X			
12. Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
13. Interests in partnerships or joint ventures. Itemize.	X			
14. Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			

FORM B6B
(10/89)In re **Lawrence Whistler****Kathleen Whistler**Case No. **03-90109**

Debtor

(If known)

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
15. Accounts receivable.	X			
16. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
17. Other liquidated debts owing debtor including tax refunds. Give particulars.	X			
18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	X			
19. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
21. Patents, copyrights, and other intellectual property. Give particulars.	X			
22. Licenses, franchises, and other general intangibles. Give particulars.	X			
23. Automobiles, trucks, trailers, and other vehicles and accessories.		GMC Jimmy		17,000.00
24. Boats, motors, and accessories.	X			
25. Aircraft and accessories.	X			
26. Office equipment, furnishings, and supplies.	X			
27. Machinery, fixtures, equipment and supplies used in business.	X			
28. Inventory.	X			
29. Animals.	X			
30. Crops - growing or harvested. Give particulars.	X			

FORM 508
(10/89)In re Lawrence Whistler

Debtor

Kathleen WhistlerCase No. 03-90108

(if known)

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	JOINT OR NON	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
31. Farming equipment and implements.	X			
32. Farm supplies, chemicals, and feed.	X			
33. Other personal property of any kind not already listed. Itemize.	X			
<u>2</u> continuation sheets attached				Total \$ 26,104.72

(Include amounts from any continuation sheet
attached. Report total also on Summary of
Schedules.)

FORM B6C
(8/90)In re Lawrence WhistlerKathleen WhistlerCase No. 03-90109

Debtor.

(If known)

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor elects the exemption to which debtor is entitled under:

(Check one box)

☐ 11 U.S.C. § 522(b)(1)

Exemptions provided in 11 U.S.C. § 522(d).

Note: These exemptions are available only in certain states.

☒ 11 U.S.C. § 522(b)(2)

Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT MARKET VALUE OF PROPERTY, WITHOUT DEDUCTING EXEMPTIONS
GMC Jimmy	OCGA 44-13-100(a)(3)	2,000.00	17,000.00
Living room, bedroom & dining room furniture, TV, VCR, refrigerator, stove	OCGA 44-13-100(a)(4)	3,000.00	3,000.00
Magnum, Smith & Wesson	OCGA 44-13-100(a)(6)	100.00	100.00
Wedding band, ruby ring	OCGA 44-13-100(a)(5)	1,000.00	4,000.00

FORM 960
(6/00)In re: **Lawrence Whistler****Kathleen Whistler**Case No. **03-90109****SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CO-DEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND MARKET VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO. 0026859789 Bank of America c/o McCalla Raymer ..., LLC 1544 Old Alabama Road Roswell, GA 30076		Mortgage 425 Red Jacket Way Alpharetta, Georgia 30005 VALUE \$285,000.00				250,000.00	0.00
ACCOUNT NO. 67100038-0202812 CitiFinancial 2650 Dallas Highway Suite 160 Marietta, GA 30064-7506		2nd Mortgage 425 Red Jacket Way Alpharetta, Georgia 30005 VALUE \$285,000.00				81,046.00	0.00
ACCOUNT NO. GMAC PO Box 105677 Atlanta, GA 30348	X	GMAC Jimmy VALUE \$18,000.00				20,000.00	0.00

Continuation sheets attached

Subtotal >
(Total of this page)
Total >
(Use only on last page)

\$351,046.00**\$351,046.00**

(Report total also on Summary of Schedules)

B6E
(Rev. 4/98)In re: Lawrence Whistler

Debtor

Kathleen WhistlerCase No. 03-90109

(if known)

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS☒ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.**TYPES OF PRIORITY CLAIMS** (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)☐ **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$4,650* per person earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(3).

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$4,650* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5).

☐ **Deposits by individuals**

Claims of individuals up to \$2,100* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6).

☐ **Alimony, Maintenance, or Support**

Claims of a spouse, former spouse, or child of the debtor for alimony, maintenance, or support, to the extent provided in 11 U.S.C. § 507(a)(7).

☐ **Taxes and Certain Other Debts Owed to Governmental Units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ **Commitments to Maintain the Capital of an Insured Depository Institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

☐ **Other Priority Debts**

* Amounts are subject to adjustment on April 1, 2004, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

FORM B5E - Cont.
(10/88)In re: Lawrence Whistler Kathleen Whistler Case No. 03-90109
Debtor (If known)**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CODEBATOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGENT	UNLIQUIDATED	DISPUTED	TOTAL AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY
ACCOUNT NO.							

Sheet no. 1 of 1 sheets attached to Schedule of Creditors Holding Priority Claims

Subtotal (Total of this page)	>	\$0.00
Total (Use only on last page of the completed Schedule E.)	>	\$0.00

(Report total also on Summary of Schedules)

FORM B6F (Official Form 6F) - (9/97)

In re: **Lawrence Whistler**
Debtor**Kathleen Whistler**Case No. **03-90109**

(If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS☐ Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 373755391874003 American Optima		Charge account				3,500.00
ACCOUNT NO. 372849119603009 AMEX		Charge account				10,600.00
ACCOUNT NO. 12-623-605-7 Ann Taylor PO Box 1304 New Haven, CT 06505-1304		Credit Card				435.85
ACCOUNT NO. 321704-00-533744-8 Beneficial 704 - B North Main Street Alpharetta, GA 30004		Credit card				4,862.68
ACCOUNT NO. 5291 1518 6316 0451 Capital One Bank PO Box 530092 Atlanta, GA 30353-0092	W	Credit card				618.74

3 Continuation sheets attached

Subtotal >

Total >

\$20,017.27

FORM B6F - Cont
(10/89)In re: Lawrence WhistlerKathleen WhistlerCase No. 03-90109

Debtor

(if known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CODEBTR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 5291151893231900 Capitol One Services, Inc. 1957 Westmoreland Road Richmond, VA 23276-5677		Credit card				640.82
ACCOUNT NO. 5410658453596544 Citicorp Credit Services 9920 NW 110th Street Kansas City, MO 64153	W	Credit card				10,970.80
ACCOUNT NO. 5458 0040 9001 1238 Direct Merchants Bank PO Box 2128 Tulsa, OK 74121-2128		Credit card				15,048.25
ACCOUNT NO. 8011 0044 4084 9172 Discover PO Box 3008 New Albany, OH 43054-3008		Credit card				3408.42
ACCOUNT NO. 1523003395995590 First North American National Bank PO Box 42364 Richmond, VA 23242		Credit Card				2,703.34

Sheet no. 1 of 3 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority
ClaimsSubtotal
(Total of this page)

Total

(Use only on last page of the completed Schedule F.)

\$29,363.21

FORM B6F - Cont.
(10/89)In re: Lawrence Whistler
DebtorKathleen WhistlerCase No. 03-90109

(If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CODEBTR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 5291151893231900 Capitol One Services, Inc. 1957 Westmoreland Road Richmond, VA 23276-5677		Credit card				640.82
ACCOUNT NO. 5410658453598544 Citicorp Credit Services 9920 NW 110th Street Kansas City, MO 64183	W	Credit card				10,970.80
ACCOUNT NO. 5458 0040 9001 1238 Direct Merchants Bank PO Box 2128 Tulsa, OK 74121-2128		Credit card				15,048.25
ACCOUNT NO. 6011 0044 4064 9172 Discover PO Box 3008 New Albany, OH 43054-3008		Credit card				3408.42
ACCOUNT NO. 1523003395995590 First North American National Bank PO Box 42364 Richmond, VA 23242		Credit Card				2,703.34

Sheet no. 1 of 3 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority
ClaimsSubtotal
(Total of this page)

Total

(Use only on last page of the completed Schedule F.)

\$29,363.21

FORM B6F - Cont.
(10/89)In re: **Lawrence Whistler**

Debtor

Kathleen WhistlerCase No. **03-90109**

(If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CODITOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 09-6371762 Haverty's Haverty's Credit Services PO Box 740506 Atlanta, GA 30374-0506		Credit card				1,358.35
ACCOUNT NO. 684-974-231 Jacobson PO Box 768 Jackson, Michigan 49204-0768	W	Charge Account				140.45
ACCOUNT NO. 031-7029-395 Kohl's PO Box 2983 Milwaukee, WI 53201-2983		Credit Card				1,010.47
ACCOUNT NO. 9308-615-31 Lord & Taylor PO Box 94873 Cleveland, OH 44101-4873		Credit Card				613.48
ACCOUNT NO. 46000294772 Macy's 5300 King's Island Drive Mason, OH 45040	W	Charge Account				545.33

Sheet no. 2 of 3 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority
ClaimsSubtotal
(Total of this page)

Total

(Use only on last page of the completed Schedule F.)

\$3,668.08

FORM B6F - Cont.
(10/89)In re: Lawrence Whistler
DebtorKathleen WhistlerCase No. 03-90109
(If known)**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CODEBTR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 011 427 158 6 Rich's PO Box 4587 Carol Stream, IL 60197-4587	W	Credit card				1,804.52
ACCOUNT NO. 4352 3700 0349 0272 Target c/o Retailers National Bank PO Box 59317 Minneapolis, MN 55459-0226	W	Credit card				10,369.36
ACCOUNT NO. 8032 2034 1105 5238 Wal Mart PO Box 530929 Atlanta, GA 30353-0925	W	Credit card				1,202.32

Sheet no. 3 of 3 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority
ClaimsSubtotal
(Total of this page)

Total

(Use only on last page of the completed Schedule F.)

\$13,176.20
\$66,224.76

(Report also on Summary of Schedules)

Form B&G
(10/89)

In re: Lawrence Whistler

Kathleen Whistler

Case No. 03-90109

Debtor

(If known)

SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

☐ Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT.	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.
Chase Manhattan Automotive Finance PO Box 5210 New Hyde Park, NY 11042	Lease on Infiniti

B6H

(6/90)

In re: Lawrence Whistler
DebtorKathleen WhistlerCase No. 03-90109

(If known)

SCHEDULE H - CODEBTORS☐ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Tim Whistler 425 Red Jacket Way Alpharetta, GA 30005	GMAC PO Box 105677 Atlanta, GA 30348

In re **Lawrence Whistler****Kathleen Whistler**Case No. **03-90109****SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

Debtor's Marital Status: Married	DEPENDENTS OF DEBTOR AND SPOUSE		
Debtor's Age: 50 Spouse's Age: 50	NAMES	AGE	RELATIONSHIP
	Tim Whistler	19	Son
	John Whistler	13	Son
	Robert Whistler	9	Son
EMPLOYMENT:	DEBTOR	SPOUSE	
Occupation	Professional wrestler/golfer/broadcaster	Retail	
Name of Employer	Self employed	Bellini's Baby Stor	
How long employed	6 months		
Address of Employer			

Income: (Estimate of average monthly income)	DEBTOR	SPOUSE
Current monthly gross wages, salary, and commissions (pro rate if not paid monthly.)	\$ <u>3,000.00</u>	\$ <u>1,400.00</u>
Estimated monthly overtime	\$ <u>0.00</u>	\$ <u>0.00</u>
SUBTOTAL	\$ <u>3,000.00</u>	\$ <u>1,400.00</u>
LESS PAYROLL DEDUCTIONS		
a. Payroll taxes and social security	\$ <u>0.00</u>	\$ <u>300.00</u>
b. Insurance	\$ <u>0.00</u>	\$ <u>0.00</u>
c. Union dues	\$ <u>0.00</u>	\$ <u>0.00</u>
d. Other (Specify) _____	\$ <u>0.00</u>	\$ <u>0.00</u>
SUBTOTAL OF PAYROLL DEDUCTIONS	\$ <u>0.00</u>	\$ <u>300.00</u>
TOTAL NET MONTHLY TAKE HOME PAY	\$ <u>3,000.00</u>	\$ <u>1,100.00</u>
Regular income from operation of business or profession or farm (attach detailed statement)	\$ <u>0.00</u>	\$ <u>0.00</u>
Income from real property	\$ <u>0.00</u>	\$ <u>0.00</u>
Interest and dividends	\$ <u>0.00</u>	\$ <u>0.00</u>
Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$ <u>0.00</u>	\$ <u>0.00</u>
Social security or other government assistance (Specify) _____	\$ <u>0.00</u>	\$ <u>0.00</u>
Pension or retirement income	\$ <u>0.00</u>	\$ <u>0.00</u>
Other monthly income (Specify) _____	\$ <u>0.00</u>	\$ <u>0.00</u>
TOTAL MONTHLY INCOME	\$ <u>3,000.00</u>	\$ <u>1,100.00</u>

TOTAL COMBINED MONTHLY INCOME \$ 4,100.00 (Report also on Summary of Schedules)

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document:

Independant agent; work not always steady.

Form 86J
(8/90)In re Lawrence WhistlerKathleen WhistlerCase No. 03-90109

Debtor

(If known)

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse".

Rent or home mortgage payment (include lot rented for mobile home)	\$	<u>1,832.00</u>
Are real estate taxes included? Yes <u> </u> No <u>✓</u>		
Is property insurance included? Yes <u> </u> No <u>✓</u>		
Utilities Electricity and heating fuel	\$	<u>175.00</u>
Water and sewer	\$	<u>55.00</u>
Telephone	\$	<u>65.00</u>
Other <u>Cable</u>	\$	<u>35.00</u>
<u>Cell phone</u>	\$	<u>30.00</u>
Home maintenance (repairs and upkeep)	\$	<u>0.00</u>
Food	\$	<u>320.00</u>
Clothing	\$	<u>75.00</u>
Laundry and dry cleaning	\$	<u>0.00</u>
Medical and dental expenses	\$	<u>50.00</u>
Transportation (not including car payments)	\$	<u>50.00</u>
Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	<u>0.00</u>
Charitable contributions	\$	<u>0.00</u>
Insurance (not deducted from wages or included in home mortgage payments)		
Homeowner's or renter's	\$	<u>0.00</u>
Life	\$	<u>0.00</u>
Health	\$	<u>0.00</u>
Auto	\$	<u>159.00</u>
Other <u> </u>	\$	<u>0.00</u>
Taxes (not deducted from wages or included in home mortgage payments)		
(Specify) <u> </u>	\$	<u>0.00</u>
Installment payments: (In chapter 12 and 13 cases, do not list payments to be included in the plan)		
Auto	\$	<u>854.00</u>
Other <u> </u>	\$	<u>0.00</u>
Alimony, maintenance or support paid to others	\$	<u>0.00</u>
Payments for support of additional dependents not living at your home	\$	<u>0.00</u>
Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	<u>0.00</u>
Other <u>2nd Mortgage</u>	\$	<u>1,200.00</u>

TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)

\$ 4,900.00

[FOR CHAPTER 12 AND 13 DEBTORS ONLY]

Provide the information requested below, including whether plan payments are to be made bi-weekly, monthly, annually, or at some other regular interval.

A. Total projected monthly income	\$	<u> </u>
B. Total projected monthly expenses	\$	<u> </u>
C. Excess income (A minus B)	\$	<u> </u>
D. Total amount to be paid into plan each	\$	<u> </u>
	(interval)	<u> </u>

In re: **Lawrence Whistler**
163-44-3689

Kathleen Whistler
477-56-5988

Case No.

DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of
page, and that they are true and correct to the best of my knowledge, information, and belief.

16 sheets plus the summary

Date:

1/29/03

Signature


Lawrence Whistler

Date:

1/29/03

Signature


Kathleen Whistler

[If joint case, both spouses must sign]

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

(NOT APPLICABLE)

UNITED STATES BANKRUPTCY COURT

Northern District of Georgia

Atlanta Division

In re: **Lawrence Whistler**
163-44-3689**Kathleen Whistler**
477-56-5986Case No. **03-90109**
Chapter **7**

Debtors

**DISCLOSURE OF COMPENSATION OF ATTORNEY
FOR DEBTOR**

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept	\$	<u>750.00</u>
Prior to the filing of this statement I have received	\$	<u>750.00</u>
Balance Due	\$	<u>0.00</u>

2. The source of compensation paid to me was:

☒ Debtor ☐ Other (specify)

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify)

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a) Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b) Preparation and filing of any petition, schedules, statement of affairs, and plan which may be required;
- c) Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d) [Other provisions as needed]
None

6. By agreement with the debtor(s) the above disclosed fee does not include the following services:

Representation in adversary proceedings.

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: 1/29/03


David L. Miller, Bar No. 508550

Law Offices of David L. Miller
Attorney for Debtor(s)

UNITED STATES BANKRUPTCY COURT
Northern District of Georgia
Atlanta Division

In re: **Lawrence Whistler**
163-44-3689

Kathleen Whistler
477-56-5986

Case No. _____
Chapter **7**

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

1. I have filed a schedule of assets and liabilities which includes consumer debts secured by property of the estate.
2. I intend to do the following with respect to the property of the estate which secures those consumer debts:
 - a. *Property To Be Surrendered.*

Description of Property

Creditor's Name

None

- b. *Property To Be Retained.*

[Check any applicable statement.]

Description of Property	Creditor's Name	Property is claimed as exempt	Property will be redeemed pursuant to 11 U.S.C. § 722	Debt will be reaffirmed pursuant to 11 U.S.C. § 524(c)	Other
1. 425 Red Jacket Way Alpharetta, Georgia 30005	Bank of America			X	
2. 425 Red Jacket Way Alpharetta, Georgia 30005	Citifinancial			X	
3. GMAC Jimmy	GMAC			X	

Date:

1/29/03

Date:

1/29/03

[Signature]
Signature of Debtor

[Signature]
Signature of Joint Debtor

Form B6
(6/90)

**United States Bankruptcy Court
Northern District of Georgia
Atlanta Division**

In re **Lawrence Whistler****Kathleen Whistler**Case No. **03-90109**Chapter **7**

SUMMARY OF SCHEDULES

AMOUNTS SCHEDULED

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	YES	1	\$ 285,000.00		
B - Personal Property	YES	3	\$ 26,104.72		
C - Property Claimed as Exempt	YES	1			
D - Creditors Holding Secured Claims	YES	1		\$ 351,048.00	
E - Creditors Holding Unsecured Priority Claims	YES	2		\$ 0.00	
F - Creditors Holding Unsecured Nonpriority Claims	YES	4		\$ 66,224.76	
G - Executory Contracts and Unexpired Leases	YES	1			
H - Codebtors	YES	1			
I - Current Income of Individual Debtor(s)	YES	1			\$ 4,100.00
J - Current Expenditures of Individual Debtor(s)	YES	1			\$ 4,900.00
Total Number of sheets in ALL Schedules >		16			
		Total Assets >	\$ 311,104.72		
			Total Liabilities >	\$ 417,270.76	

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION


IN RE:

LAWRENCE WHISTLER, and
KATHERINE WHISTLER

Debtors.

CASE NO. 03-90109-swc

CHAPTER 7
JUDGE COTTON

FILED IN CLERK'S OFFICE
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT
OF GEORGIA
03 FEB 12 AM 10:49
W. YVONNE EVANS
CLERK
BY  CLERK

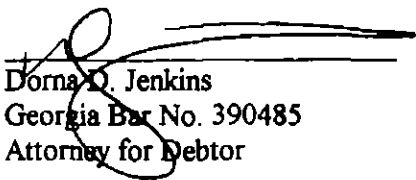
NOTICE OF RESET DATE
FOR §341 MEETING OF CREDITORS

PLEASE TAKE NOTICE that §341 Meeting of Creditors in the above referenced case
have been reset as follows:

The §341 Meeting of Creditors

Date: Tuesday, February 18, 2003
Time: 10:30 a.m.
Place: Richard B. Russell Federal Building
75 Spring Street, SW
Room 365
Atlanta, GA 30303

This ^{7th}~~2nd~~ day of February, 2003.


Dorna O. Jenkins
Georgia Bar No. 390485
Attorney for Debtor

Law Offices of David L. Miller
3340 Peachtree Rd. NE
Suite 2615-Tower Place
Atlanta, GA 30326
(404) 231-1933

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:	:	
	:	CASE NO. 03-90109-swc
LAWRENCE WHISTLER, and	:	
KATHERINE WHISTLER	:	
	:	CHAPTER 7
Debtors.	:	JUDGE COTTON
	:	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he served a copy of the attached **NOTICE OF RESET DATE FOR 341 MEETING OF CREDITORS** upon the following by depositing same in the United States Mail with adequate postage thereon and addressed as follows:

Edwin K. Palmer, Esq.
Chapter 7 Trustee
118 East Trinity Place
Suite 9
Decatur, GA 30030

Ann Taylor
PO Box 1304
New Haven, CT 06505-1304

Attorney General of Georgia
132 State Judicial Building
Atlanta, GA 30334

Bank of America
c/o McCalla, Raymer, LLC
1544 Old Alabama Road
Roswell, GA 30076

Beneficial
704-B North Main Street
Alpharetta, GA 30004

Capital One Bank
PO Box 530092
Atlanta, GA 30353-0092

Capital One Services, Inc.
1957 Westmoreland Road
Richmond, VA 23276-5677

Citicorp Credit Services
9920 NW 110th Street
Kansas City, MO 64153

Citifinancial
2650 Dallas Highway
Suite 160
Marietta, GA 30064-7506

Direct Merchants Bank
P.O. Box 2128
Tulsa, OK 74121-2128

Discover
PO Box 3008
New Albany, OH 43054-3008

First North American National Bank
PO Box 42364
Richmond, VA 23242

GMAC
PO Box 105677
Atlanta, GA 30348

Georgia Department of Revenue
Bankruptcy Insolvency Unit
P.O. Box 3889
Atlanta, GA 30334

Georgia Dept. of Revenue
Bankruptcy Section
Box 38143
Atlanta, GA 30334

Haverty's
Haverty's Credit Services
PO Box 740506
Atlanta, GA 30374-0506

Internal Revenue Service
P.O. Box 995
Room 1640, Stop 334-D
Atlanta, GA 30370

Internal Revenue Service
Attn Bankruptcy Unit 11
Box 995, Stop 335D
Atlanta, GA 30370

Jacobson
PO Box 768
Jackson, Michigan 49204-0768

Kohl's
PO Box 2983
Milwaukee, WI 53201-2983

Lord & Taylor
PO Box 94873
Cleveland, OH 44101-4873

Macy's
5300 King's Island Drive
Mason, OH 45040

Rich's
PO Box 4587
Carol Stream, IL 60197-4587

Rich's
c/o Federal Allied Credit Systems
Box 8053
Mason, OH 45040-8053

State of Georgia
Revenue Commissioner
410 Trinity - Washington Building
Atlanta, GA 30334

Steven Shapiro, Chief-Tax Division
Civil Trial Section, Dept. of Justice
POB 14198, Ben Franklin Station
Washington, D.C. 20044

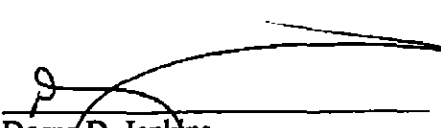
Target
c/o Retailers National Bank
PO Box 59317
Minneapolis, MN 55459-0226
Tim Whistler
425 Red Jacket Way
Alpharetta, GA 30005

U.S. Attorney General
Department of Justice, Tax Division
Civil Trial Section Southern Region
PO Box 14198, Ben Franklin Station
Washington, D.C. 20044

U.S. Attorney's Office
1800 Richard B. Russell Building
75 Spring Street, SW
Atlanta, GA 30335

Wal Mart
PO Box 530929
Atlanta, GA 30353-0925

^{17th}
This ~~2nd~~ day of February, 2003.



Dorna D. Jenkins
Georgia Bar No. 390485
Attorney for Debtor

Law Offices of David L. Miller
3340 Peachtree Rd. NE
Suite 2615-Tower Place
Atlanta, GA 30326
(404) 231-1933

ENTERED ON DOCKET
FEB 14 2003

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)	
	)	BANKRUPTCY CASE
LAWRENCE WHISTLER)	
KATHLEEN WHISTLER	)	NO. 03-90109
)	
Debtors)	
<hr/>		
BANK OF AMERICA, NA,)	
)	
Movant)	
	)	CHAPTER 7
vs.)	
)	
LAWRENCE WHISTLER)	
KATHLEEN WHISTLER)	
EDWIN K. PALMER, Trustee	)	JUDGE: STACEY W. COTTON
)	
Respondents)	
)	

ORDER GRANTING MOTION FOR RELIEF FROM STAY

The above styled Motion having been called before the Court for a hearing on February 13, 2003, upon Notice of Assignment of Hearing to each of the above-captioned parties in interest, and it appearing that there was no opposition to the Motion and that the parties were properly served;

IT IS HEREBY ORDERED AND ADJUDGED that the 11 U.S.C. §362(a) automatic stay is lifted as to Movant herein, its successors and assigns, regarding the real property commonly known as 425 Red Jacket Way, Alpharetta, GA.

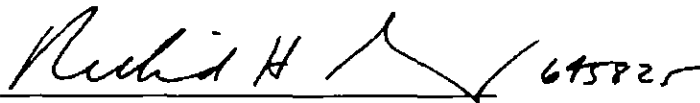
FURTHER ORDERED that Movant, its successors and assigns, may proceed to assert its rights, including, but not limited to, the institution and completion of foreclosure proceedings, and to assert any and all of its respective rights and remedies under applicable law, as to its collateral.

FURTHER ORDERED that upon the completion of any foreclosure sale, any funds in excess of the payoff due to Movant under its Note and Security Deed shall be paid to the Trustee for the benefit of the Estate.

SO ORDERED this 14th day of January, 2003.


STACEY W. COTTON
UNITED STATES BANKRUPTCY JUDGE

PREPARED AND PRESENTED BY:


for Lara A. Armstrong, Bar No. 112002
Attorney for Movant

McCalla, Raymer, Padrick, Cobb, Nichols & Clark
1544 Old Alabama Road
Roswell, Georgia 30076-2102
(770) 643-2148
(800) 275-7171

DISTRIBUTION LIST

Bankruptcy Department
McCalla, Raymer, Padrick, Cobb, Nichols & Clark, LLC
1544 Old Alabama Road
Roswell, Georgia 30076-2102

Lawrence Whistler
Kathleen Whistler
425 Red Jacket Way
Alpharetta, GA 30005

David L. Miller, Esquire
Law Offices of David L. Miller
3340 Peachtree Road, NE
Suite 2615, Tower Place 100
Atlanta, GA 30326

Edwin K. Palmer, Trustee
118 East Trinity Place
Suite 9
Decatur, GA 30030

ENTERED ON DOCKET
FEB 14 2003

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)	
	)	BANKRUPTCY CASE
LAWRENCE WHISTLER)	
KATHLEEN WHISTLER	)	NO. 03-90109
)	
Debtors)	
<hr/>		
BANK OF AMERICA, NA,)	
)	
Movant)	
	)	CHAPTER 7
vs.)	
)	
LAWRENCE WHISTLER)	
KATHLEEN WHISTLER)	
EDWIN K. PALMER, Trustee)	JUDGE: STACEY W. COTTON
)	
Respondents)	
)	

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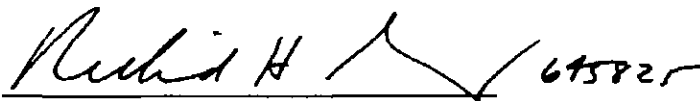
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SO ORDERED this 14th day of January, 2003.


STACEY W. COTTON
UNITED STATES BANKRUPTCY JUDGE

PREPARED AND PRESENTED BY:


for Lara A. Armstrong, Bar No. 112002
Attorney for Movant

McCalla, Raymer, Padrick, Cobb, Nichols & Clark
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Roswell, Georgia 30076-2102
(770) 643-2148
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Lawrence Whistler
Kathleen Whistler
425 Red Jacket Way
Alpharetta, GA 30005

David L. Miller, Esquire
Law Offices of David L. Miller
3340 Peachtree Road, NE
Suite 2615, Tower Place 100
Atlanta, GA 30326

Edwin K. Palmer, Trustee
118 East Trinity Place
Suite 9
Decatur, GA 30030

BAE SYSTEMS

Enterprise Systems Incorporated
11487 Sunset Hills Road
Reston, Virginia 20190-5234

CERTIFICATE OF SERVICE

District/off: 113E-9
Case: 03-90109

User: williamsv
Form ID: PDF

Page 1 of 1
Total Served: 5

Date Rcvd: Feb 14, 2003

The following entities were served by first class mail on Feb 16, 2003.

db	Kathleen Whistler,	425 Red Jacket Way,	Alpharetta, GA	30005
db	Lawrence Whistler,	425 Red Jacket Way,	Alpharetta, GA	30005
aty	David L. Miller,	3340 Peachtree Rd. N.E.,	Suite 2615 - Tower Place 100,	Atlanta, GA 30326
aty	Lara Anne Armstrong,	1544 Old Alabama Road,	Roswell, GA	30076-2102
tr	Edwin K. Palmer,	118 East Trinity Place,	Suite 9,	Decatur, GA 30030

The following entities were served by electronic transmission.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

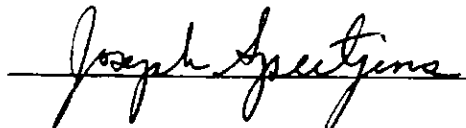
aty*	David L. Miller,	3340 Peachtree Rd. N.E.,	Suite 2615 - Tower Place 100,	Atlanta, GA	30326
tr*	Edwin K. Palmer,	118 East Trinity Place,	Suite 9,	Decatur, GA	30030
pty*	Kathleen Whistler,	425 Red Jacket Way,	Alpharetta, GA	30005	
pty*	Lawrence Whistler,	425 Red Jacket Way,	Alpharetta, GA	30005	

TOTALS: 0, * 4

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

Date: Feb 16, 2003

Signature: _____



UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN THE MATTER OF:
Lawrence David Whistler
aka Larry Zbyszko
Katherine Whistler
Debtor(s),

BANKRUPTCY NO. 03-90109

CHAPTER 7

JUDGE STACEY W. COTTON

General Motors Acceptance Corporation

Movant,

v.

CONTESTED MATTER

Lawrence David Whistler
aka Larry Zbyszko
Katherine Whistler
Trustee Edwin K. Palmer, (Chapter 7 Trustee)
Respondent(s).

NOTICE OF ASSIGNMENT OF HEARING

NOTICE IS HEREBY GIVEN that a Motion for Relief from the Automatic Stay has been filed in the above styled case. In the event a hearing cannot be held within thirty (30) days from the filing of the Motion for Relief from the Automatic Stay as required by 11 U.S.C. §362, Movant waives this requirement and agrees to the next possible date, as evidenced by signature below. **The undersigned consents to the automatic stay (and any related co-debtor stay) remaining in effect with respect to Movant until the Court orders otherwise.**

A HEARING will be held on the ____ day of _____, 2003, at _____.m. in Courtroom _____, 75 Spring St., S.W., U. S. Courthouse Atlanta, Georgia 30303.

Within three days of the date of this notice, Movant shall serve the motion and this notice upon Debtor, Trustee, and their attorneys of record, and shall file a Certificate of Service within three days of service. BLR 9007-2 NDGa.

DATED: _____

W. YVONNE EVANS, CLERK
U.S. BANKRUPTCY COURT

_____/S/_____
GREGSON T. HAAN
Georgia Bar No. 316070
1275 Peachtree St., Suite 430
Atlanta, GA 30309-3565

ATTORNEY FOR MOVANT 110.1494

8-61

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN THE MATTER OF:
Lawrence David Whistler
aka Larry Zbyszko
Katherine Whistler
Debtor(s),

BANKRUPTCY NO. 03-90109

CHAPTER 7

JUDGE STACEY W. COTTON

General Motors Acceptance Corporation

Movant,

v.

CONTESTED MATTER

Lawrence David Whistler
aka Larry Zbyszko
Katherine Whistler
Trustee Edwin K. Palmer, (Chapter 7 Trustee)
Respondent(s).

MOTION FOR RELIEF FROM THE AUTOMATIC STAY

COMES NOW General Motors Acceptance Corporation , Movant in the above-entitled cause, and as its Motion for Relief from the Automatic Stay, shows this Court as follows:

1.

That this motion seeking relief from the automatic stay under §362 of the Bankruptcy Code is a proceeding which may be initiated by motion under the Rules of Bankruptcy Procedure.

2.

That Debtor did on January 3, 2003 file a petition for relief under Chapter 7 of the Bankruptcy Code.

3.

That at the time of the filing of said petition, Debtor was indebted to Movant in the sum of \$ 19068.46 on a Retail Installment Sale Contract for the purchase of a 2001 GMC Jimmy automobile (the "Vehicle"), a true and correct copy of this Contract and the Certificate of Title, evidencing Movant's first lien interest therein, being attached hereto and incorporated herein as Exhibits "A" and "B".

4.

That good cause, including, but not limited to, a lack of adequate protection, exists for granting Movant relief from the automatic stay as relates to its interest in the Vehicle.

5.

That there is no equity in the Vehicle for the benefit of Debtor or unsecured creditors, and the Vehicle is not needed for an effective reorganization, thereby entitling Movant to relief from the automatic stay pursuant to §362(d) of the Bankruptcy Code.

6.

That Movant is further entitled to recover, as part of its secured claim, its expenses, including a reasonable attorney's fee incurred in this case and for the bringing of this motion, to the extent that the Vehicle may have a market value exceeding the net outstanding balance due Movant on its claim.

7.

That the Vehicle is collateral which can be easily moved, secreted, and damaged by the Debtor(s) or others and may not now be covered by adequate collision damage and comprehensive insurance, thereby entitling Movant to an order expressly providing that relief from stay not be stayed for the ten (10) day period provided for under Bankruptcy Rule 4001 (a)(3).

WHEREFORE, Movant prays that the automatic stay presently in effect be lifted so as to permit it to exercise its right to self-help repossess the Vehicle or foreclose upon its interest, that this Court expressly provide that said relief not be stayed as provided for under Bankruptcy Rule 4001(a)(3), that Debtor be

ordered to surrender possession of the Vehicle to Movant, that Movant have and recover from the proceeds of the disposition of the Vehicle, its reasonable expenses, including an attorney's fee, and that Movant have such other and further relief as is just.

McCULLOUGH & PAYNE

_____/S/_____
Gregson T. Haan
Georgia Bar No. 316070

1275 Peachtree Street, N.E.
Suite 430
Atlanta, Georgia 30309-3565
(404) 873-1386
ATTORNEYS FOR MOVANT
110.1494



RETAIL INSTALLMENT SALE CONTRACT

GMAC FLEXIBLE FINANCE PLAN

Dealer Number

2334

Contract Number

23677

Buyer (and Co-Buyer) - Name and Address (Include County and Zip Code)
LAWRENCE DAVID WHISTLER
 425 RED JACKET WAY
 ALPHARETTA GA 30005 FULTON

Creditor (Seller Name and Address)
CARL BLACK PONT/BK/GMC/ISUZU
 11225 ALPHARETTA HWY
 ROSWELL GA 30076 FULTON

01 JUL 18 AM 9:34

RECEIVED
GMAC FLEXIBLE FINANCE PLAN

You, the Buyer (and Co-Buyer, if any), may buy the vehicle described below for cash or on credit. By signing this contract, you agree to buy the vehicle on credit under the agreement on the front and back of this contract. You agree to pay the Creditor the Amount Financed and Finance Charge according to the payment schedule shown below. The Finance Charge is figured on a daily basis at the Annual Percentage Rate on the unpaid balance of the Amount Financed.

Descriptions of Vehicle. You agree to buy and the Creditor agrees to sell the following vehicle:

New or Used	Year	Make and Model	Body Type	Vehicle Identification No.	Use for Which Purchased
NEW	2001	GMC JIMMY	2DR UT	1GKCS18W51K199272	<input checked="" type="checkbox"/> personal <input type="checkbox"/> agricultural <input type="checkbox"/> business <input type="checkbox"/>

If truck - Describe body and major items of equipment sold:

FEDERAL TRUTH-IN-LENDING DISCLOSURES

ANNUAL PERCENTAGE RATE The cost of your credit as a yearly rate.	FINANCE CHARGE The dollar amount the credit will cost you.	Amount Financed The amount of credit provided to you or on your behalf.	Total of Payments The amount you will have paid after you have made all payments as scheduled.	Total Sale Price The total cost of your purchase on credit, including your down payment of \$ 3500.00 is
3.90 %	\$ 2231.07	\$ 21444.93	\$ 23676.00	\$ 27176.00

Your Payment Schedule Will Be:

Number of Payments	Amount of Payments	When Payments Are Due	Or as Follows:
60	394.60	Monthly beginning 08/26/2001	

Late Charge. If a payment is not paid in full within 10 days after it is due, you will pay a late charge of 5% of the amount of the payment that is late with a maximum of \$50.00 unless the vehicle is off-highway farm or business equipment.

Prepayment. If you pay off all your debt early, you will not have to pay a penalty.

Security Interest. You are giving a security interest in the vehicle being purchased.

Additional Information: See the other side of this contract for more information including information about nonpayment, default, any required repayment in full before the scheduled date, and security interest.

ITEMIZATION OF AMOUNT FINANCED

1 Cash Price (including any accessories, services, and taxes) \$ 23752.93 (1)

2 Total Downpayment = Net Trade-In \$ N/A + Cash Downpayment \$ 2000.00

+ Other (lessor) MANUFACTURER'S REBATE \$ 1500.00

Your Trade-In is \$ 3500.00 (2)

3 Unpaid Balance of Cash Price (1 minus 2) \$ 20252.93 (3)

4 Other Charges including Amounts Paid to Others on Your Behalf: (Seller may be keeping part of these amounts.)

A. Cost of Required Physical Damage Insurance Paid to the Insurance Company Named Below - Covering Damage to the Vehicle	\$ N/A
B. Cost of Optional Mechanical Repair Insurance Paid to the Insurance Company Named Below - Covering Certain Mechanical Repairs	\$ N/A
C. Cost of Optional Credit Insurance for the Term of this Contract Paid to the Insurance Company or Companies Named Below. Life \$ N/A Disability, Accident and Health \$ N/A	\$ N/A
D. Official Fees Paid to Government Agencies	\$ N/A
E. Taxes Not Included in Cash Price	\$ N/A
F. Government License and/or Registration Fees (License)	\$ N/A
G. Government Certificate of Title Fees	\$ 10.00
H. Other Charges (Seller must identify who will receive payment and describe purpose)	
to STATE (82) & DEALER (31) for MV HARR RIGHTS FEE	\$ 3.00
to RYAN CARL BLACK PONT for 72 MONTHS/72000 MILES	\$ 1171.00
Total Other Charges and Amounts Paid to Others on Your Behalf	\$ 1174.00 (4)

5 Amount Financed - Unpaid Balance (3 + 4) \$ 21444.93 (5)

Insurance. If any insurance is checked below, the policies or certificates issued by the Companies named will describe the terms and conditions. Required Physical Damage Insurance. Physical damage insurance is required, but you may obtain it from anyone you want who is acceptable to the Creditor. The cost of this insurance is shown in 4A of the Itemization above.

Optional Mechanical Repair Insurance. The cost of this insurance is shown in 4B of the Itemization above.

Insurance Company: N/A Term: N/A

☐ \$ N/A Deductible Collision and either:

☐ Full Comprehensive including Fire, Theft and Combined Additional Coverage

☐ \$ N/A Deductible Comprehensive including Fire, Theft and Combined Additional Coverage

☐ Fire, Theft and Combined Additional Coverage

Optional, if desired - ☐ Towing and Labor costs ☐ Loss of Use ☐ CB Radio Equipment

Optional Credit Insurance. Credit life insurance and credit disability insurance are not required to obtain credit and will not be provided unless you sign for them and agree to pay the additional cost. If you want this insurance, check the insurance desired and sign below. If you have chosen this insurance, the cost is shown in 4C of the Itemization above. Credit life insurance is based upon the payment schedule and term shown above. This insurance may not pay all you owe on this contract if you make late payments. Disability insurance covers the original payment amount for the term shown above. If you make late payments, disability insurance will not pay all of your payments.

Check the insurance desired: ☐ Life (Buyer ☐ Co-Buyer ☐ Both ☐

☐ Disability Accident and Health (Buyer Only)

N/A

(Name of Insurer)

(Home Office Address)

This policy will pay amounts due on this contract up to \$ N/A. Total policy coverage for this and any other Retail Installment Sale Contract is limited to \$ N/A.

☐ N/A Deductible Limit
☐ Full Comprehensive including Fire, Theft and Combined Additional Coverage
☐ N/A Deductible Comprehensive including Fire, Theft and Combined Additional Coverage
☐ Fire, Theft and Combined Additional Coverage

Optional, if desired—☐ Towing and Labor costs ☐ Loss of Use ☐ CB Radio Equipment

Optional Credit Insurance: Credit life insurance and credit disability insurance are not required to obtain credit and will not be provided unless you sign for them and agree to pay the additional cost. If you want this insurance, check the insurance desired and sign below. If you have chosen this insurance, the cost is shown in 4C of the Itemization above. Credit life insurance is based upon the payment schedule and term shown above. This insurance may not pay all you owe on this contract if you make late payments. Disability insurance covers the original payment amount for the term shown above. If you make late payments, disability insurance will not pay all of your payments.

Check the insurance desired: ☐ Life (Buyer ☐ Co-Buyer ☐ Both ☐
☐ Disability, Accident and Health (Buyer Only)

N/A (Name of Insurer) (Home Office Address)

This policy will pay amounts due on this contract up to \$ N/A Total policy coverage for this and any other Retail Installment Sale Contract is limited to \$ N/A

Buyer Signature _____ Date _____ Co-Buyer Signature _____ Date _____

THE INSURANCE, IF ANY, REFERRED TO IN THIS CONTRACT DOES NOT INCLUDE COVERAGE FOR PERSONAL LIABILITY AND PROPERTY DAMAGE CAUSED TO OTHERS.

See the other side of this contract for other important agreements, including your agreement to give the Creditor a security interest in insurance premiums and proceeds.

Notice to the Buyer

Do not sign this contract before you read it or if it contains any blank spaces. You are entitled to an exact copy of the contract you sign.

You signed this contract and received a copy of _____ JULY 11th 2001 _____
 (Mo.) (Day) (M.)

Buyer Signs _____

Co-Buyer Signs _____

Co-Buyer's and Other Owners—A co-buyer is a person who is responsible for paying the entire debt. An other owner is a person whose name is on the title to the vehicle but does not have to pay the debt. The co-buyer or other owner knows that the Creditor has a security interest in the vehicle and consents to the security interest.

Other owner signs here _____

Address _____

Creditor Signs CARL BLACK PONT/BK/GMC/ISUZU _____

By _____

Title _____

If Seller obtained this vehicle from General Motors Corporation (GM) on installment credit terms, Seller assigns its interest in this contract to GM under the terms of the GM Installment Sales Finance Plan—Terms of Substitution and Assignment agreement. Otherwise, Seller assigns its interest in this contract to General Motors Acceptance Corporation (GMAC) under the terms of the GMAC Retail Plan agreement.

Assigned with recourse

Assigned without recourse or with limited recourse

Seller _____

By _____

Title _____

CARL BLACK PONT/BK/GMC/ISUZU

Seller _____

By _____

Title _____

Certificate of Title

STATE OF GEORGIA

THIS TITLE MUST BE TRANSFERRED IMMEDIATELY UPON CHANGE OF VEHICLE OWNERSHIP

VEHICLE IDENTIFICATION NUMBER	MAKE	YEAR	TYPE OF BODY	MODEL	CYL	DATE ISSUED
16KCS18A51K199272	GMC	2001	MULTI-PURPOSE V	JIMMY	6	07/23/2001
DATE VEHICLE PUR.	FUEL	NEW OR USED	COOMETER	PREVIOUS TITLE NBR/STATE OF ISSUE	NBR OF LEAS	COLOR
07/11/2001	GASOLINE	NEW	000121		1	BLK
					CURRENT TITLE NUMBER	778066011993002

OWNER

CAMRENCE DAVID WHISTLER
4725 RED JACKET WAY
ALPHARETTA GA 30005-4246

GMAC
PO BOX 8701
TOLSON 00012 MD 31145A53K303

END USER SECURITY INTEREST

3D LEAD (CR) SECURITY MATHS

PLEASE OF LIFE OR SECURITY INTEREST

DATE OF RELEASE SECURITY INTEREST HOT DES AUTHORIZED AGENT

RECORDS
SECTION

4810962

004356353

STATISTISCHES BUREAU DER REPUBLIK ÖSTERREICH

The Georgia Department of Revenue hereby certifies that an Application duly made by the person so registered by this Department as the lawful owner of the vehicle described, subject to the terms and conditions herein set forth, is hereby approved and the same is hereby returned to the applicant with both said lien and security interests as may subsequently be filed with the Commissioner. This Certificate of Title is issued pursuant to the Motor Vehicle Certificate of Title Act and is subject to the provisions thereof.

WHEREFORE, the Trustee requests the Court enter an order authorizing and directing the Trustee to abandon said property as referenced and identified herein, and for such other and further relief as this Court may deem just and proper.

This 18 day of February, 2003.

Respectfully submitted,


Edwin K. Palmer
Trustee

118 East Trinity Place
Suite 9
Decatur, GA 30030
(404) 479-4449

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	
)	
LAWRENCE WHISTLER)	
KATHLEEN WHISTLER)	CASE NUMBER
Debtors)	03-90109-swc
)	CHAPTER 7
)	
)	JUDGE COTTON

I hereby certify that I have this date served a copy of the foregoing Motion to Abandon Property, Proposed Order and Notice of Proposed Abandonment of Property, upon debtor and all parties to this action by depositing a copy of same in the United States mail with adequate postage prepaid and addressed as follows:

Ann Taylor
PO Box 1304
New Haven, CT 06505-1304

Attorney General of Georgia
132 State Judicial Building
Atlanta, GA 30334

Bank of America
c/o McCalla, Raymer, LLC
1544 Old Alabama Road
Roswell, GA 30076

Beneficial
704-B North Main Street
Alpharetta, GA 30004

Capital One Bank
PO Box 530092
Atlanta, GA 30353-0092

Capital One Services, Inc.
1957 Westmoreland Road
Richmond, VA 23276-5677

Citicorp Credit Services
9920 NW 110th Street
Kansas City, MO 64153

Citifinancial
2650 Dallas Highway
Suite 160
Marietta, GA 30064-7506

Direct Merchants Bank
P.O. Box 2128
Tulsa, OK 74121-2128

Discover
PO Box 3008
New Albany, OH 43054-3008

First North American National Bank
PO Box 42364
Richmond, VA 23242

GMAC
PO Box 105677
Atlanta, GA 30348

Georgia Department of Revenue
Bankruptcy Insolvency Unit
P.O. Box 3889
Atlanta, GA 30334

Georgia Dept. of Revenue
Bankruptcy Section
Box 38143
Atlanta, GA 30334

Haverty's
Haverty's Credit Services
PO Box 740506
Atlanta, GA 30374-0506

Internal Revenue Service
P.O. Box 995
Room 1640, Stop 334-D
Atlanta, GA 30370

Internal Revenue Service
Attn Bankruptcy Unit 11
Box 995, Stop 335D
Atlanta, GA 30370

Jacobson
PO Box 768
Jackson, Michigan 49204-0768

Kohl's
PO Box 2983
Milwaukee, WI 53201-2983

Lord & Taylor
PO Box 94873
Cleveland, OH 44101-4873

Macy's
5300 King's Island Drive
Mason, OH 45040

Rich's
PO Box 4587
Carol Stream, IL 60197-4587

Rich's
c/o Federal Allied Credit Systems
Box 8053
Mason, OH 45040-8053

State of Georgia
Revenue Commissioner
410 Trinity - Washington Building
Atlanta, GA 30334

Steven Shapiro, Chief-Tax Division
Civil Trial Section, Dept. of Justice
POB 14198, Ben Franklin Station
Washington, D.C. 20044

Target
c/o Retailers National Bank
PO Box 59317
Minneapolis, MN 55459-0226

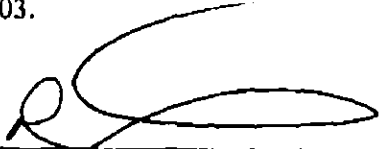
Tim Whistler
425 Red Jacket Way
Alpharetta, GA 30005

U.S. Attorney General
Department of Justice, Tax Division
Civil Trial Section Southern Region
PO Box 14198, Ben Franklin Station
Washington, D.C. 20044

U.S. Attorney's Office
1800 Richard B. Russell Building
75 Spring Street, SW
Atlanta, GA 30335

Wal Mart
PO Box 530929
Atlanta, GA 30353-0925

This the 14 day of February, 2003.



DORNALD D. JENKINS
Attorney for Debtor
GA Bar No. 390485

3340 Peachtree Road, NE
Suite 2615 - Tower Place 100
Atlanta, GA 30326
(404) 231-1933

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CLERK'S OFFICE
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT
OF GEORGIA

IN THE MATTER OF:
Lawrence David Whistler
aka Larry Zbyszko
Katherine Whistler
Debtor(s),

BANKRUPTCY NO. 03-90109

03 FEB 20 PM 3:24

W. YVONNE EVANS
CLERK

CHAPTER 7

Edward A. Wise
CLERK

JUDGE STACEY W. COTTON

General Motors Acceptance Corporation

Movant,

v.

CONTESTED MATTER

Lawrence David Whistler
aka Larry Zbyszko
Katherine Whistler
Trustee Edwin K. Palmer, (Chapter 7 Trustee)
Respondent(s).

NOTICE OF ASSIGNMENT OF HEARING

NOTICE IS HEREBY GIVEN that a Motion for Relief from the Automatic Stay has been filed in the above styled case. In the event a hearing cannot be held within thirty (30) days from the filing of the Motion for Relief from the Automatic Stay as required by 11 U.S.C. §362, Movant waives this requirement and agrees to the next possible date, as evidenced by signature below. **The undersigned consents to the automatic stay (and any related co-debtor stay) remaining in effect with respect to Movant until the Court orders otherwise.**

A HEARING will be held on the 27th day of March, 2003, at 9:30 A.m. in Courtroom 1404, 75 Spring St., S.W., U. S. Courthouse Atlanta, Georgia 30303.

Within three days of the date of this notice, Movant shall serve the motion and this notice upon Debtor, Trustee, and their attorneys of record, and shall file a Certificate of Service within three days of service. BLR

9007-2 NDGa.


FEB 20 2003

DATED: _____

W. YVONNE EVANS, CLERK
U.S. BANKRUPTCY COURT

_____/S/_____
GREGSON T. HAAN
Georgia Bar No. 316070
1275 Peachtree St., Suite 430
Atlanta, GA 30309-3565

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Filed in U.S. Bankruptcy Court
Atlanta, Georgia
FEB 19 2003
W. Yvonne Evans, Clerk
By:  Deputy Clerk

IN RE:

LAWRENCE WHISTLER, and
KATHERINE WHISTLER

Debtors.

CASE NO. 03-90109-swc

CHAPTER 7
JUDGE COTTON

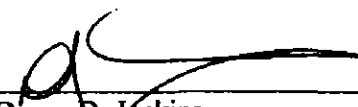
NOTICE OF RESET DATE
FOR §341 MEETING OF CREDITORS

PLEASE TAKE NOTICE that §341 Meeting of Creditors in the above referenced case has been reset as follows:

The §341 Meeting of Creditors

Date: Tuesday, March 11, 2003
Time: 10:30 a.m.
Place: Richard B. Russell Federal Building
75 Spring Street, SW
Room 365
Atlanta, GA 30303

This 19th day of February, 2003.


Dorna D. Jenkins
Georgia Bar No. 390485
Attorney for Debtor

Law Offices of David L. Miller
3340 Peachtree Rd. NE
Suite 2615-Tower Place
Atlanta, GA 30326
(404) 231-1933

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:	:	
	:	CASE NO. 03-90109-swc
LAWRENCE WHISTLER, and	:	
KATHERINE WHISTLER	:	
	:	CHAPTER 7
Debtors.	:	JUDGE COTTON
	:	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she served a copy of the attached **NOTICE OF RESET DATE FOR 341 MEETING OF CREDITORS** upon the following by depositing same in the United States Mail with adequate postage thereon and addressed as follows:

Edwin K. Palmer, Esq.
Chapter 7 Trustee
118 East Trinity Place
Suite 9
Decatur, GA 30030

Ann Taylor
PO Box 1304
New Haven, CT 06505-1304

Attorney General of Georgia
132 State Judicial Building
Atlanta, GA 30334

Bank of America
c/o McCalla, Raymer, LLC
1544 Old Alabama Road
Roswell, GA 30076

Beneficial
704-B North Main Street
Alpharetta, GA 30004

Capital One Bank
PO Box 530092
Atlanta, GA 30353-0092

Capital One Services, Inc.
1957 Westmoreland Road
Richmond, VA 23276-5677

Citicorp Credit Services
9920 NW 110th Street
Kansas City, MO 64153

Citifinancial
2650 Dallas Highway
Suite 160
Marietta, GA 30064-7506

Direct Merchants Bank
P.O. Box 2128
Tulsa, OK 74121-2128

Discover
PO Box 3008
New Albany, OH 43054-3008

First North American National Bank
PO Box 42364
Richmond, VA 23242

GMAC
PO Box 105677
Atlanta, GA 30348

Georgia Department of Revenue
Bankruptcy Insolvency Unit
P.O. Box 3889
Atlanta, GA 30334

Georgia Dept. of Revenue
Bankruptcy Section
Box 38143
Atlanta, GA 30334

Haverty's
Haverty's Credit Services
PO Box 740506
Atlanta, GA 30374-0506

Internal Revenue Service
P.O. Box 995
Room 1640, Stop 334-D
Atlanta, GA 30370

Internal Revenue Service
Attn Bankruptcy Unit 11
Box 995, Stop 335D
Atlanta, GA 30370

Jacobson
PO Box 768
Jackson, Michigan 49204-0768

Kohl's
PO Box 2983
Milwaukee, WI 53201-2983

Lord & Taylor
PO Box 94873
Cleveland, OH 44101-4873

Macy's
5300 King's Island Drive
Mason, OH 45040

Rich's
PO Box 4587
Carol Stream, IL 60197-4587

Rich's
c/o Federal Allied Credit Systems
Box 8053
Mason, OH 45040-8053

State of Georgia
Revenue Commissioner
410 Trinity - Washington Building
Atlanta, GA 30334

Steven Shapiro, Chief-Tax Division
Civil Trial Section, Dept. of Justice
POB 14198, Ben Franklin Station
Washington, D.C. 20044

Target
c/o Retailers National Bank
PO Box 59317
Minneapolis, MN 55459-0226

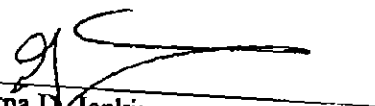
Tim Whistler
425 Red Jacket Way
Alpharetta, GA 30005

U.S. Attorney General
Department of Justice, Tax Division
Civil Trial Section Southern Region
PO Box 14198, Ben Franklin Station
Washington, D.C. 20044

U.S. Attorney's Office
1800 Richard B. Russell Building
75 Spring Street, SW
Atlanta, GA 30335

Wal Mart
PO Box 530929
Atlanta, GA 30353-0925

This 20th day of February, 2003.


Dorna D. Jenkins
Georgia Bar No. 390485
Attorney for Debtor

Law Offices of David L. Miller
3340 Peachtree Rd. NE
Suite 2615-Tower Place
Atlanta, GA 30326
(404) 231-1933

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN THE MATTER OF:
Lawrence David Whistler
aka Larry Zbyszko
Katherine Whistler
Debtor(s),

BANKRUPTCY NO. 03-90109

CHAPTER 7

JUDGE STACEY W. COTTON

General Motors Acceptance Corporation
Movant,

CONTESTED MATTER

v.
Lawrence David Whistler
aka Larry Zbyszko
Katherine Whistler
Trustee Edwin K. Palmer, (Chapter 7 Trustee)
Respondent(s).

CERTIFICATE OF SERVICE

I, GREGSON T. HAAN
of 1275 Peachtree St., N.E.
Suite 430
Atlanta, GA 30309-3565

Certify:

That I am, and at all times hereinafter mentioned was, more than 18 years of age:

That on the 24th day of February, 2003, I served on the following, by U.S. Mail, a copy of the within NOTICE OF
ASSIGNMENT OF HEARING together with the MOTION FOR RELIEF FROM THE AUTOMATIC STAY filed in this
bankruptcy matter:

Debtor:

Lawrence David Whistler
425 Red Jacket Way
Alpharetta, GA 30005

Katherine Whistler
425 Red Jacket Way
Alpharetta, GA 30005

Debtor's Attorney:

David L. Miller
3340 Peachtree Road Suite 2615
Atlanta GA 30326

Trustee:

Trustee Edwin K. Palmer
118 East Trinity Place Suite 9
Decatur GA 30030

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on: February 24, 2003

By: _____/S/ _____

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

03 MAR 11 AM 8:11

IN RE:

LAWRENCE AND KATHLEEN
WHISTLER

DEBTORS

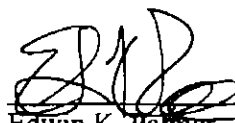
03-90109
CASE NO. 03-90199

JUDGE STACEY W. COTTON

WITHDRAWAL OF TRUSTEE'S MOTION TO ABANDON PROPERTY

COMES NOW Edwin K. Palmer, Trustee and hereby withdraws his Motion to Abandon Property in the aforementioned case. In lieu thereof, the Trustee is filing a NOTICE OF PROPOSED ABANDONMENT.

DATED this the 28th day of February, 2003.


Edwin K. Palmer
Trustee
Georgia Bar No. 560100

Edwin K. Palmer
118 East Trinity Place
Suite 9
Decatur, GA 30030
(404) 888-9266

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above Withdrawal of the Trustee's Motion to Abandon Property pursuant to 11 U.S.C. 707(b) was sent by United States Mail, properly addressed and with correct postage to the following:

Lawrence David Whistler
and Katherine Whistler
425 Red Jacket Way
Alpharetta, GA 30005

David L. Miller
3340 Peachtree Road
Suite 2615
Atlanta, GA 30326

DONE this the ¹¹28th day of ^{March}February, 2003.



Edwin K. Palmer
Bankruptcy Trustee
Georgia Bar No. 560100

Edwin K. Palmer
118 East Trinity Place
Suite 9
Decatur, GA 30030
(404) 888-9266

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:) CASE No. 03-90109-SWC
)
LAWRENCE AND KATHLEEN WHISTLER) CHAPTER 7
DEBTORS)
) JUDGE STACEY W. COLEMAN

03 MAR 11 AM 8:11

CLERK OF COURT

W.R. Whistler

NOTICE OF PROPOSED ABANDONMENT

In accordance with Fed.R.Bank.P. 6007, NOTICE is hereby given of the proposed abandonment or other disposition of the estate's interest in the following described property:

The estate's claims versus Lawrence and Kathleen Whistler

The Trustee further believes such claims to be burdensome and of no value to the estate. Notice is hereby given that you have fifteen (15) days from the date of the mailing of this notice to file written objections to said abandonment. Such objection should be filed with:

United States Bankruptcy Court
Northern District of Georgia
Atlanta Division
1340 Russell Federal Building
75 Spring Street, SW
Atlanta, Georgia 30303

and a copy sent to the Trustee:

Edwin K. Palmer
118 East Trinity Place, Suite 9
Decatur, Georgia 30030

If an objection to the proposed abandonment of property is timely filed, a hearing will be scheduled with notice to the objecting party. If no objection is filed with the Court, the property will be deemed abandoned without further hearing or Order of this Court.

Submitted this 28th day of February, 2003.



Edwin K. Palmer, Trustee
Georgia Bar No. 560100

Edwin K. Palmer
118 East Trinity Place, Suite 9
Decatur, Georgia 30030
(404) 888-9266

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:) CASE No. 03-90109-SWC
LAWRENCE AND KATHLEEN WHISTLER) CHAPTER 7
DEBTORS)
JUDGE STACEY W. COOPER

03 MAR 11 AM 8:11

CLERK

W.R. [Signature]

NOTICE OF PROPOSED ABANDONMENT

In accordance with Fed.R.Bank.P. 6007, NOTICE is hereby given of the proposed abandonment or other disposition of the estate's interest in the following described property:

The estate's claims versus Lawrence and Kathleen Whistler

The Trustee further believes such claims to be burdensome and of no value to the estate. Notice is hereby given that you have fifteen (15) days from the date of the mailing of this notice to file written objections to said abandonment. Such objection should be filed with:

United States Bankruptcy Court
Northern District of Georgia
Atlanta Division
1340 Russell Federal Building
75 Spring Street, SW
Atlanta, Georgia 30303

and a copy sent to the Trustee:

Edwin K. Palmer
118 East Trinity Place, Suite 9
Decatur, Georgia 30030

If an objection to the proposed abandonment of property is timely filed, a hearing will be scheduled with notice to the objecting party. If no objection is filed with the Court, the property will be deemed abandoned without further hearing or Order of this Court.

Submitted this 28th day of February, 2003.



Edwin K. Palmer, Trustee
Georgia Bar No. 560100

Edwin K. Palmer
118 East Trinity Place, Suite 9
Decatur, Georgia 30030
(404) 888-9266

BAE SYSTEMS

Enterprise Systems Incorporated
11487 Sunset Hills Road
Reston, Virginia 20190-5234

CERTIFICATE OF SERVICE

District/off: 113E-9
Case: 03-90109

User: wilsonm
Form ID: PDF

Page 1 of 1
Total Served: 38

Date Rcvd: Mar 12, 2003

The following entities were served by first class mail on Mar 14, 2003.

db Kathleen Whistler, 425 Red Jacket Way, Alpharetta, GA 30005
db Lawrence Whistler, 425 Red Jacket Way, Alpharetta, GA 30005
aty David L. Miller, 3340 Peachtree Rd. N.E., Suite 2615 - Tower Place 100, Atlanta, GA 30326
aty +Gregson T. Haan, 1275 Peachtree Street, NE, Suite 430, Atlanta, GA 30309-3576
aty John D. Schlotter, 1544 Old Alabama Road, Roswell, GA 30076-2102
aty Lara Anne Armstrong, 1544 Old Alabama Road, Roswell, GA 30076-2102
tr Edwin K. Palmer, 118 East Trinity Place, Suite 9, Decatur, GA 30030
ust Office of the US Trustee, Suite 362, 75 Spring Street, SW, Atlanta, GA 30303
5642057 Ann Taylor, PO Box 1304, New Haven, CT 06505-1304
5642058 Attorney General of Georgia, 132 State Judicial Building, Atlanta, GA 30334
5642059 Bank of America, c/o McCalla, Raymer, LLC, 1544 Old Alabama Road, Roswell, GA 30076
5642060 Beneficial, 704-B North Main Street, Alpharetta, GA 30004
5642061 Capital One Bank, PO Box 530092, Atlanta, GA 30353-0092
5642062 +Capital One Services, Inc., 1957 Westmoreland Road, Richmond, VA 23276-0001
5642063 Citicorp Credit Services, 9920 NW 110th Street, Kansas City, MO 64153
5642064 Citifinancial, 2650 Dallas Highway, Suite 160, Marietta, GA 30064-7506
5642065 +Direct Merchants Bank, P.O. Box 2128, Tulsa, OK 74101-2128
5642066 Discover, PO Box 3008, New Albany, OH 43054-3008
5642067 First North American National Bank, PO Box 42364, Richmond, VA 23242
5642056 GMAC, PO Box 105677, Atlanta, GA 30348
5642068 Georgia Department of Revenue, Bankruptcy Insolvency Unit, P.O. Box 3889, Atlanta, GA 30334
5642069 Georgia Dept. of Revenue, Bankruptcy Section, Box 38143, Atlanta, GA 30334
5642070 Haverly's, Haverly's Credit Services, PO Box 740506, Atlanta, GA 30374-0506
5642072 +Internal Revenue Service, Attn Bankruptcy Unit 11, Box 995, Stop 3350, Atlanta, GA 30301-0995
5642071 +Internal Revenue Service, P.O. Box 995, Room 1640, Stop 334-D, Atlanta, GA 30301-0995
5642073 Jacobson, PO Box 768, Jackson, Michigan 49204-0768
5642074 Kohl's, PO Box 2983, Milwaukee, WI 53201-2983
5642075 Lord & Taylor, PO Box 24873, Cleveland, OH 44101-4873
5642076 Macy's, 5300 King's Island Drive, Mason, OH 45040
5642077 Rich's, PO Box 4587, Carol Stream, IL 60197-4587
5642078 Rich's, c/o Federal Allied Credit Systems, Box 8053, Mason, OH 45040-6053
5642079 State of Georgia, Revenue Commissioner, 410 Trinity - Washington Building, Atlanta, GA 30334
5642080 Steven Shapiro, Chief-Tax Division, Civil Trial Section, Dept. of Justice, POB 14198, Ben Franklin Station, Washington, D.C. 20044
5642081 +Target, c/o Retailers National Bank, PO Box 59317, Minneapolis, MN 55459-0317
5642082 Tim Whistler, 425 Red Jacket Way, Alpharetta, GA 30005
5642084 U.S. Attorney General, Department of Justice, Tax Division, Civil Trial Section Southern Region, PO Box 14198, Ben Franklin Station, Washington, D.C. 20044
5642083 +U.S. Attorney's Office, 1800 Richard B. Russell Building, 75 Spring Street, SW, Atlanta, GA 30303-3309
5642085 +Wal Mart, PO Box 530929, Atlanta, GA 30353-0929

The following entities were served by electronic transmission.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Bank Of America, NA.
pty General Motors Acceptance Corporation
aty David L. Miller, 3340 Peachtree Rd. N.E., Suite 2615 - Tower Place 100, Atlanta, GA 30326
aty Lara Anne Armstrong, 1544 Old Alabama Road, Roswell, GA 30076-2102
tr Edwin K. Palmer, 118 East Trinity Place, Suite 9, Decatur, GA 30030
ust Office of the US Trustee, Suite 362, 75 Spring Street, SW, Atlanta, GA 30303
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pty Kathleen Whistler, 425 Red Jacket Way, Alpharetta, GA 30005
pty Lawrence Whistler, 425 Red Jacket Way, Alpharetta, GA 30005

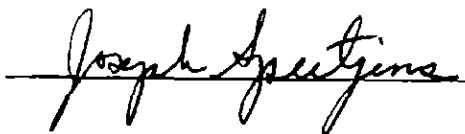
TOTALS: 2, * 10

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

Date: Mar 14, 2003

Signature:



RECEIVED

IN RE:

2003 MAR 18 P 2:03
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT
OF GEORGIA

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CLERK'S OFFICE
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT
OF GEORGIA

CASE NO. 03-2001-01576

PM 2:53

CHAPTER 7 CASE

W. YVONNE EVANS
CLERK

BY

DEPUTY CLERK
JUDGE STACEY WACOTTON

WHISTLER, LAWRENCE
WHISTLER, KATHLEEN
AKA LARRY ZBYSZKO
DEBTOR(S)

TRUSTEE'S REPORT OF NO DISTRIBUTION

COMES NOW, Edwin K. Palmer, trustee of the estate of the above-named debtor(s) and reports that he has neither received any property nor paid any money on account of the estate except exempt property; he has made diligent inquiry into the whereabouts of property belonging to the estate; and there is no property available for distribution from the estate over and above that exempted by law.

Pursuant to FRBP 5009, he certifies that the estate of the above-named debtor has been fully administered.

The trustee requests that this report be approved, and that he be discharged from any further duties as trustee in the above-styled matter.

Date: March 15, 2003



Edwin K. Palmer, Chapter 7 Trustee
Georgia Bar No. 560100

Edwin K. Palmer
118 East Trinity Place
Decatur, GA 30030
Telephone: 404-479-4449

ENTERED ON DOCKET
APR 4 - 2003

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN THE MATTER OF:
Lawrence David Whistler Larry Zbyszko
Katherine Whistler

Chapter 7

Debtor(s),

JUDGE STACEY W. COTTON

General Motors Acceptance Corporation

Movant,

CASE NO. 03-90109

vs.

Lawrence David Whistler Larry Zbyszko
Katherine Whistler
Trustee Edwin K. Palmer, (Trustee)

Respondent(s).

ORDER

The above and foregoing matter came on before this court on March 27, 2003 , for hearing on the Motion of General Motors Acceptance Corporation ("Movant") for Relief from the Automatic Stay. The Debtor is indebted to Movant on an installment sales contract for the purchase of a 2001 GMC Jimmy (the "vehicle"). It appearing that neither the Debtor nor the Trustee oppose the relief sought by Movant, it is

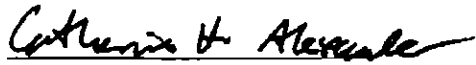
ORDERED that the Automatic Stay presently in effect against Movant and its interest in the above described vehicle is hereby lifted. Any excess proceeds after repossession and resale of the vehicle are to be delivered to the Chapter 7 Trustee.

SO ORDERED this the 4th day of April, 2003.


STACEY W. COTTON
UNITED STATES BANKRUPTCY JUDGE

(Additional Signature on Next Page)

Prepared and Presented By:



Catherine H. Alexander
Georgia Bar No 008860
McCULLOUGH & PAYNE
1275 Peachtree Street, N.E., Suite 430
Atlanta, Georgia 30309-3565
(404) 873-1386
ATTORNEYS FOR MOVANT
Account Number: 340-0334-23677
110.1494

DISTRIBUTION LIST

Counsel for Movant:

McCullough and Payne
1275 Peachtree St., N.E.
Suite 430
Atlanta, Georgia 30309

Counsel for Debtor(s):

David L. Miller
3340 Peachtree Road Suite 2615
Atlanta GA 30326

Trustee:

Trustee Edwin K. Palmer
118 East Trinity Place Suite 9
Decatur GA 30030

Debtor, Co-Debtor:

Lawrence David Whistler
425 Red Jacket Way
Alpharetta, GA 30005

Katherine Whistler
425 Red Jacket Way
Alpharetta, GA 30005

ENTERED ON DOCKET
APR 4 - 2003

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN THE MATTER OF:
Lawrence David Whistler Larry Zbyszko
Katherine Whistler

Chapter 7

Debtor(s),

JUDGE STACEY W. COTTON

General Motors Acceptance Corporation

Movant,

CASE NO. 03-90109

vs.

Lawrence David Whistler Larry Zbyszko
Katherine Whistler
Trustee Edwin K. Palmer, (Trustee)

Respondent(s).

ORDER

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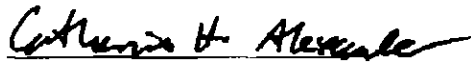
ORDERED that the Automatic Stay presently in effect against Movant and its interest in the above described vehicle is hereby lifted. Any excess proceeds after repossession and resale of the vehicle are to be delivered to the Chapter 7 Trustee.

SO ORDERED this the 4th day of April, 2003.


STACEY W. COTTON
UNITED STATES BANKRUPTCY JUDGE

(Additional Signature on Next Page)

Prepared and Presented By:

A handwritten signature in black ink, appearing to read "Catherine H. Alexander", with a long horizontal flourish extending to the right.

Catherine H. Alexander

Georgia Bar No 008860

McCULLOUGH & PAYNE

1275 Peachtree Street, N.E., Suite 430

Atlanta, Georgia 30309-3565

(404) 873-1386

ATTORNEYS FOR MOVANT

Account Number: 340-0334-23677

110.1494

DISTRIBUTION LIST

Counsel for Movant:

McCullough and Payne
1275 Peachtree St., N.E.
Suite 430
Atlanta, Georgia 30309

Counsel for Debtor(s):

David L. Miller
3340 Peachtree Road Suite 2615
Atlanta GA 30326

Trustee:

Trustee Edwin K. Palmer
118 East Trinity Place Suite 9
Decatur GA 30030

Debtor, Co-Debtor:

Lawrence David Whistler
425 Red Jacket Way
Alpharetta, GA 30005

Katherine Whistler
425 Red Jacket Way
Alpharetta, GA 30005

BAE SYSTEMS

Enterprise Systems Incorporated
11487 Sunset Hills Road
Reston, Virginia 20190-5234

CERTIFICATE OF SERVICE

District/Off: 113E-9
Case: 03-90109

User: williamsv
Form ID: PDF

Page 1 of 1
Total Served: 5

Date Rcvd: Apr 04, 2003

The following entities were served by first class mail on Apr 06, 2003.

db	Kathleen Whistler,	425 Red Jacket Way,	Alpharetta, GA	30005
db	Lawrence Whistler,	425 Red Jacket Way,	Alpharetta, GA	30005
aty	David L. Miller,	3340 Peachtree Rd. N.E.,	Suite 2615 - Tower Place 100,	Atlanta, GA 30326
aty	+Gregson T. Haan,	1275 Peachtree Street, NE,	Suite 430,	Atlanta, GA 30309-3576
tr	Edwin K. Palmer,	118 East Trinity Place,	Suite 9,	Decatur, GA 30030

The following entities were served by electronic transmission.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

aty*	David L. Miller,	3340 Peachtree Rd. N.E.,	Suite 2615 - Tower Place 100,	Atlanta, GA	30326
tr*	Edwin K. Palmer,	118 East Trinity Place,	Suite 9,	Decatur, GA	30030
pty*	Kathleen Whistler,	425 Red Jacket Way,	Alpharetta, GA	30005	
pty*	Lawrence Whistler,	425 Red Jacket Way,	Alpharetta, GA	30005	

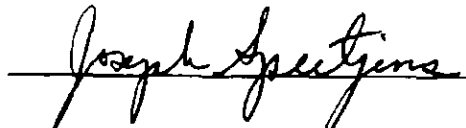
TOTALS: 0, * 4

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

Date: Apr 06, 2003

Signature: _____



Form B18-NDGA (Official Form 18)
(09/01)

UNITED STATES BANKRUPTCY COURT
Northern District of Georgia

In re:
Lawrence Whistler
163-44-3689
425 Red Jacket Way
Alpharetta GA 30005

Case No. : 03-90109
Chapter: 7

Judge: Stacey W. Cotton

Kathleen Whistler
477-56-5986
425 Red Jacket Way
Alpharetta GA 30005
Debtor(s)

**DISCHARGE OF DEBTOR(S) WITH ORDER APPROVING TRUSTEE'S REPORT
OF NO DISTRIBUTION, CLOSING ESTATE AND DISCHARGING TRUSTEE**

It appearing that the debtor is entitled to a discharge, **IT IS ORDERED:** The debtor is granted a discharge under section 727 of title 11, United States Bankruptcy Code, (the Bankruptcy Code).

It further appears that the trustee in the above-entitled case has filed a report of no distribution and said Trustee has performed all other and further duties required in the administration of said estate; accordingly, it is hereby

ORDERED that the said estate is closed; that the Trustee is discharged from and relieved of said trust.

Dated: 04/12/03

BY THE COURT

Stacey W. Cotton
United States Bankruptcy Judge

**SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION
REGARDING THE BANKRUPTCY DISCHARGE IN A CHAPTER 7 CASE.**

Form B18-NDGA continued
(09/01)

EXPLANATION OF BANKRUPTCY DISCHARGE IN A CHAPTER 7 CASE

This court order grants a discharge to the person named as the debtor. It is not a dismissal of the case and it does not determine how much money, if any, the trustee will pay to the creditors.

Collection of Discharged Debts Prohibited

The discharge prohibits any attempt to collect from the debtor a debt that has been discharged. For example, a creditor is not permitted to contact a debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach wages or other property, or to take any other action to collect a discharged debt from the debtor. *[In a case involving community property:]* [There are also special rules that protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.]

However a creditor may have the right to enforce a valid lien, such as a mortgage or security interest, against the debtor's property after the bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case. Also, a debtor may voluntarily pay any debt that has been discharged.

Debts That are Discharged

The chapter 7 discharge order eliminates a debtor's legal obligation to pay a debt that is discharged. Most, but not all, types of debts are discharged if the debt existed on the date the bankruptcy case was filed. (If this case was begun under a different chapter of the Bankruptcy Code and converted to chapter 7, the discharge applies to debts owed when the bankruptcy case was converted.)

Debts that are Not Discharged

Some of the common types of debts which are not discharged in a chapter 7 bankruptcy case are:

- a. Debts for most taxes;
- b. Debts that are in the nature of alimony, maintenance, or support;
- c. Debts for most student loans;
- d. Debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- e. Debts for personal injuries or death caused by the debtor's operation of a motor vehicle while intoxicated;
- f. Some debts which were not properly listed by the debtor;
- g. Debts that the bankruptcy court specifically has decided or will decide in this bankruptcy case are not discharged;
- h. Debts for which the debtor has given up the discharge protections by signing a reaffirmation agreement in compliance with the Bankruptcy Code requirements for reaffirmation of debts.

This information is only a general summary of the bankruptcy discharge. There are exceptions to these general rules. Because the law is complicated, you may want to consult an attorney to determine the exact effect of the discharge in this case.

BAE SYSTEMS

Enterprise Systems Incorporated
11487 Sunset Hills Road
Reston, Virginia 20190-5234

CERTIFICATE OF SERVICE

District/off: 113E-9
Case: 03-90109

User: williamsv
Form ID: DC7

Page 1 of 1
Total Served: 37

Date Rcvd: Apr 10, 2003

The following entities were served by first class mail on Apr 12, 2003.

db Kathleen Whistler, 425 Red Jacket Way, Alpharetta, GA 30005
db Lawrence Whistler, 425 Red Jacket Way, Alpharetta, GA 30005
aty David L. Miller, 3340 Peachtree Rd. N.E., Suite 2615 - Tower Place 100, Atlanta, GA 30326
aty +Gregson I. Haan, 1275 Peachtree Street, NE, Suite 430, Atlanta, GA 30309-3576
aty John D. Schlotter, 1544 Old Alabama Road, Roswell, GA 30076-2102
aty Lara Anne Armstrong, 1544 Old Alabama Road, Roswell, GA 30076-2102
tr Edwin K. Palmer, 118 East Trinity Place, Suite 9, Decatur, GA 30030
5642057 Ann Taylor, PO Box 1304, New Haven, CT 06505-1304
5642058 Attorney General of Georgia, 132 State Judicial Building, Atlanta, GA 30334
5642059 Bank of America, c/o McCalla, Raymer, LLC, 1544 Old Alabama Road, Roswell, GA 30076
5642060 Beneficial, 704-B North Main Street, Alpharetta, GA 30004
5642061 Capital One Bank, PO Box 530092, Atlanta, GA 30353-0092
5642062 +Capital One Services, Inc., 1957 Westmoreland Road, Richmond, VA 23276-0001
5642063 Citicorp Credit Services, 9920 NW 110th Street, Kansas City, MO 64153
5642064 Citifinancial, 2650 Dallas Highway, Suite 160, Marietta, GA 30064-7506
5642065 +Direct Merchants Bank, P.O. Box 2128, Tulsa, OK 74101-2128
5642066 Discover, PO Box 3008, New Albany, OH 43054-3008
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5642068 GMAC, PO Box 105677, Atlanta, GA 30348
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5642073 Jacobson, PO Box 768, Jackson, Michigan 49204-0768
5642075 Lord & Taylor, PO Box 94873, Cleveland, OH 44101-4873
5642077 Rich's, PO Box 4587, Carol Stream, IL 60197-4587
5642079 State of Georgia, Revenue Commissioner, 410 Trinity - Washington Building, Atlanta, GA 30334
5642080 Steven Shapiro, Chief-Tax Division, Civil Trial Section, Dept. of Justice, POB 14198, Ben Franklin Station, Washington, D.C. 20044
5642081 +Target, c/o Retailers National Bank, PO Box 59317, Minneapolis, MN 55459-0317
5642082 Tim Whistler, 425 Red Jacket Way, Alpharetta, GA 30005
5642084 U.S. Attorney General, Department of Justice, Tax Division, Civil Trial Section Southern Region, PO Box 14198, Ben Franklin Station, Washington, D.C. 20044
5642083 +U.S. Attorney's Office, 1800 Richard B. Russell Building, 75 Spring Street, SW, Atlanta, GA 30303-3309
5642085 +Wal Mart, PO Box 530929, Atlanta, GA 30353-0929

The following entities were served by electronic transmission on Apr 10, 2003 and receipt of the transmission was confirmed on:

5642060 EDI: HFC.COM Apr 10 2003 20:56:00 Beneficial, 704-B North Main Street, Alpharetta, GA 30004
5642061 EDI: CAPITALONE.COM Apr 10 2003 20:56:00 Capital One Bank, PO Box 530092, Atlanta, GA 30353-0092
5642062 +EDI: CAPITALONE.COM Apr 10 2003 20:56:00 Capital One Services, Inc., 1957 Westmoreland Road, Richmond, VA 23276-0001
5642070 EDI: TSYS2.COM Apr 10 2003 20:56:00 Haverty's, Haverty's Credit Services, PO Box 740506, Atlanta, GA 30374-0506
5642072 +EDI: IRS.COM Apr 10 2003 20:56:00 Internal Revenue Service, Attn Bankruptcy Unit 11, Box 995, Stop 335D, Atlanta, GA 30301-0995
5642071 +EDI: IRS.COM Apr 10 2003 20:56:00 Internal Revenue Service, P.O. Box 995, Room 1640, Stop 334-D, Atlanta, GA 30301-0995
5642074 EDI: CBSKOHLS.COM Apr 10 2003 20:56:00 Kohl's, PO Box 2983, Milwaukee, WI 53201-2983
5642075 EDI: MAYSTORES.COM Apr 10 2003 20:56:00 Lord & Taylor, PO Box 94873, Cleveland, OH 44101-4873
5642076 EDI: TSYS2.COM Apr 10 2003 20:56:00 Macy's, P.O. Box 8120, Mason, OH 45040
5642078 EDI: TSYS2.COM Apr 10 2003 20:56:00 Rich's, c/o Federal Allied Credit Systems, Box 8053, Mason, OH 45040-8053

TOTAL: 10

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

aty* Lara Anne Armstrong, 1544 Old Alabama Road, Roswell, GA 30076-2102

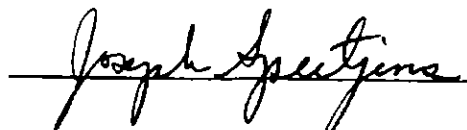
TOTALS: 0, * 1

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I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

Date: Apr 12, 2003

Signature:



03-90109-swc Lawrence Whistler and Kathleen Whistler
Case type: bk **Chapter:** 7 **Asset:** No (Select if Chapter 7) **Vol:** v **Judge:** Stacey W. Cotton
Date filed: 01/03/2003 **Date discharged:** 04/12/2003
Date terminated: 04/10/2003 **Date of last filing:** 04/12/2003

Creditors

Ann Taylor

PO Box 1304 (cr)
New Haven, CT 06505-1304

Attorney General of Georgia

132 State Judicial Building (cr)
Atlanta, GA 30334

Bank of America

c/o McCalla, Raymer, LLC (cr)
1544 Old Alabama Road
Roswell, GA 30076

Beneficial

704-B North Main Street (cr)
Alpharetta, GA 30004

Capital One Bank

PO Box 530092 (cr)
Atlanta, GA 30353-0092

Capital One Services, Inc.

1957 Westmoreland Road (cr)
Richmond, VA 23276-5677

Citicorp Credit Services

9920 NW 110th Street (cr)
Kansas City, MO 64153

Citifinancial

2650 Dallas Highway (cr)
Suite 160
Marietta, GA 30064-7506

Direct Merchants Bank

P.O. Box 2128 (cr)
Tulsa, OK 74121-2128

Discover

PO Box 3008 (cr)
New Albany, OH 43054-3008

First North American National Bank

PO Box 42364 (cr)
Richmond, VA 23242

GMAC

PO Box 105677 (cr)
Atlanta, GA 30348

Georgia Department of Revenue

Bankruptcy Insolvency Unit (cr)
P.O. Box 3889
Atlanta, GA 30334

Georgia Dept. of Revenue

Bankruptcy Section (cr)
Box 38143
Atlanta, GA 30334

Haverty's

Haverty's Credit Services (cr)
PO Box 740506
Atlanta, GA 30374-0506

Internal Revenue Service

P.O. Box 995 (cr)
Room 1640, Stop 334-D
Atlanta, GA 30370

Internal Revenue Service

Attn Bankruptcy Unit 11 (cr)
Box 995, Stop 335D
Atlanta, GA 30370

Jacobson

PO Box 768 (cr)
Jackson, Michigan 49204-0768

Kohl's

PO Box 2983 (cr)
Milwaukee, WI 53201-2983

Lord & Taylor

PO Box 94873 (cr)
Cleveland, OH 44101-4873

Macy's

P.O. Box 8120 (cr)
Mason, OH 45040

Rich's

PO Box 4587 (cr)
Carol Stream, IL 60197-4587

Rich's

c/o Federal Allied Credit Systems (cr)
Box 8053
Mason, OH 45040-8053

Revenue Commissioner
410 Trinity - Washington Building
Atlanta, GA 30334 (cr)

Civil Trial Section, Dept. of Justice
POB 14198, Ben Franklin Station
Washington, D.C. 20044

c/o Retailers National Bank
PO Box 59317
Minneapolis, MN 55459-0226

425 Red Jacket Way (cr)
Alpharetta, GA 30005

Department of Justice, Tax Division
Civil Trial Section Southern Region (cr)
PO Box 14198, Ben Franklin Station
Washington, D.C. 20044

1800 Richard B. Russell Building
75 Spring Street, SW
Atlanta, GA 30335

PO Box 530929 (cr)
Atlanta, GA 30353-0925